

## HOUSE OF REPRESENTATIVES.

THURSDAY, February 25, 1915.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, for that germ of divinity with which Thou hast endowed us, which makes us children of the living God, immortal souls. Help us with keen appreciation to strive earnestly to develop the God-giving quality of our being until we all come unto the measure of the stature of the fullness of Christ, and thus be worthy of such preferment; and everlasting praise be Thine, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

## DISPOSITION OF THE PUBLIC LANDS.

Mr. NORTON. Mr. Speaker, I ask unanimous consent to print in the RECORD a concurrent resolution of the North Dakota Legislature directed to Congress.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to print in the RECORD a resolution passed by the Legislature of North Dakota directed to Congress. Is there objection?

Mr. STAFFORD. Reserving the right to object, I wish to inquire of the gentleman whether this is the same resolution that was presented by his colleague, Mr. YOUNG? I notice that the gentlemen from North Dakota are presenting these resolutions frequently for incorporation in the RECORD. The other day his colleague, Mr. YOUNG, asked unanimous consent to extend his remarks in the RECORD by incorporating a resolution. It is not customary to have these resolutions incorporated in the body of the RECORD.

Mr. NORTON. As far as my knowledge is concerned, this resolution has not been printed in the RECORD. It is a resolution pertaining to the public lands.

Mr. STAFFORD. The fact is that a few years ago the legislature of my State, when it had nothing else to do, would pass resolutions on subjects that it knew nothing about, and we received something like 15 in one session. We did not then spread them upon the RECORD, but filed them away and let them lie dormant in the pigeonhole.

Mr. FERRIS. Is the gentleman speaking of his own State of Wisconsin?

Mr. STAFFORD. I said it was my own State. I will not object to this request, but I think it is a bad practice.

The SPEAKER. Is there objection?

There was no objection.

The resolution is as follows:

STATE OF NORTH DAKOTA,  
DEPARTMENT OF STATE.

I, Thomas Hall, secretary of state of the State of North Dakota, and keeper of the great seal thereof, hereby certify that the attached is a true and correct copy of a certain concurrent resolution adopted by the Fourteenth Legislative Assembly of the State of North Dakota, and the whole of such resolution.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in the city of Bismarck, this 16th day of February, A. D. 1915.

[SEAL.]

THOMAS HALL,  
Secretary of State.

## A concurrent resolution (Turner).

Whereas when North Dakota was admitted to statehood the State was given for State institutions by the Federal Government lands aggregating 500,000 acres. This land was divided among the various State institutions, and as these lands are sold the moneys derived from them go into a permanent fund, the income of which is used, and shall be used, for the maintenance and support of the institution for which these lands stand as an endowment; and

Whereas there is in North Dakota to-day about 700,000 acres of vacant Government land remaining, much of which is subject to the 320-acre homestead, and may be subject to a homestead entry of 640 acres, provided a bill now before Congress shall be enacted into law; and

Whereas if this shall be done, the remaining public lands in North Dakota will only provide a little over 1,000 homesteads; and

Whereas if Congress should enact a law giving to every public-land State 500,000 acres of the remaining vacant public lands in the various public-land States, thereby benefiting all of the people of those States, and in a way in which and by which they would derive a much greater benefit than were the lands open for homesteads to a few: Now therefore be it

Resolved by the House of Representatives of the State of North Dakota (the Senate concurring), That we respectfully request and petition the Congress of the United States, through our Senators and Representatives of Congress, that a law be enacted so that the States receiving these public lands shall be authorized, through their legislatures, to distribute the lands so given between the penal, charitable, and educational institutions of the State; but provided that one-fifth of the lands so given shall be set aside by the legislature as an endow-

ment fund, the interest from which, when the lands shall have been sold, to be used for the purpose of building roads and bridges in the various States.

A. P. HANSON,  
Speaker of the House.  
ALBERT N. WOLD,  
Chief Clerk of the House.  
J. H. FRANE,  
President of the Senate.  
M. J. GEORGE,  
Secretary of the Senate.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 19306) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested.

S. J. Res. 238. Joint resolution giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the forty-ninth national encampment of the Grand Army of the Republic, to be held in the District of Columbia in the months of September and October, 1915, and for other purposes incident to said encampment.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 16305. An act to reimburse Henry Weaver, postmaster at Delmar, Ala., for money and stamps stolen from said post office at Delmar and repaid by him to the Post Office Department;

H. R. 17424. An act for the relief of Hunton Allen; and

H. R. 17842. An act for the relief of George Richardson.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, had further insisted upon its amendments and asked a further conference with the House, and had appointed Mr. SMITH of Maryland, Mr. LEA of Tennessee, and Mr. GALLINGER as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6493. An act for the appointment of an additional judge in the fifth judicial circuit of the United States;

S. 7509. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 7566. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldier and sailors;

S. 7597. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 7598. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the President had approved and signed bills and joint resolution of the following titles:

On February 23, 1915:

S. J. Res. 187. Joint resolution requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education;

S. 604. An act for the relief of Sarah A. Clinton and Marie Steinberg;

S. 926. An act for the relief of the Georgia Railroad & Banking Co.;

S. 1880. An act for the relief of Chester D. Swift;

S. 3419. An act admitting to citizenship and fully naturalizing George Edward Lerrigo, of the city of Topeka, in the State of Kansas;

S. 3925. An act for the relief of Teresa Girelami;

S. 5092. An act for the relief of Charles A. Spotts;

S. 5254. An act authorizing the Secretary of the Interior in his discretion to sell and convey a certain tract of land to the Mandan Town and Country Club;

S. 5449. An act to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement;

S. 5497. An act authorizing the issuance of patent to Arthur J. Floyd for section 31; township 22 north, range 22 west of the sixth principal meridian, in the State of Nebraska; and

S. 5990. An act to authorize the sale and issuance of patent for certain land to William G. Kerckhoff.

On February 24, 1915:

S. 2334. An act for the relief of S. W. Langhorne and the legal representatives of H. S. Howell;

S. 4146. An act granting certain lands to school district No. 44, Chelan County, Wash.; and

S. 2335. An act to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and saved by American citizens and repaired in American shipyards.

#### SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 7509. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 7566. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 7597. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 7598. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. J. Res. 238. Joint resolution giving authority to the Commissioners of the District of Columbia to make special regulations for the occasion of the forty-ninth national encampment of the Grand Army of the Republic, to be held in the District of Columbia in the months of September and October, 1915, and for other purposes incident to said encampment; to the Committee on the District of Columbia.

#### ENROLLED BILLS SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 16305. An act to reimburse Henry Weaver, postmaster at Delmar, Ala., for money and stamps stolen from said post office at Delmar and repaid by him to the Post Office Department; and

H. R. 17424. An act for the relief of Hunton Allen.

#### WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. STEVENS of Minnesota was given leave to withdraw from the files of the House without leaving copies papers in the following cases, no adverse reports having been made thereon:

Bill for the relief of Lydia Mahoney, H. R. 3294, Sixty-third Congress, first session;

Bill for the relief of Herman W. Reichow, H. R. 3298, Sixty-third Congress; and

Bill for the relief of Ole Hamrey, H. R. 3291, Sixty-third Congress, first session.

#### GENERAL DEFICIENCY BILL.

Mr. FITZGERALD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21546, the general deficiency bill, and pending that I wish to inquire if we can agree on time for general debate.

Mr. GILLETT. I have requests for three hours of general debate on this side which I should be glad to grant.

Mr. LEWIS of Pennsylvania. Pending that, Mr. Speaker, I have a request to make. I want to rise to a question of personal privilege for about one minute.

The SPEAKER. The Chair will recognize the gentleman from Pennsylvania later.

Mr. FITZGERALD. We can not agree to six hours' general debate.

Mr. GILLETT. Can the gentleman from New York give me some of his time?

Mr. FITZGERALD. If the gentleman will make it four hours, I will give him three or four minutes of my time. [Laughter.]

Mr. GILLETT. This is the last appropriation bill upon which there will be general debate.

Mr. FITZGERALD. Yes; and it is the last parasang in the journey. There will be conference reports coming in. If gentlemen on that side wish to indulge in harmless talk, I can arrange to accommodate them with time; but if they want to indulge in unjustifiable talk, we will have to use the time ourselves. It all depends on how gentlemen behave whether I give them any of my time or not.

Mr. ALEXANDER. Mr. Speaker, reserving the right to object to the request of the gentleman from New York, I want to make this statement: The conference report on the seamen's bill was filed yesterday and was ordered printed. It is here, and I desire to call that up and have it acted upon as soon as possible, as we want the bill to become a law before the end of the session. We are to act on it first in the House, and I would like to have it acted on to-day. For that reason I hope that debate on this bill will not be unduly prolonged.

Mr. FITZGERALD. I think four hours for general debate is sufficient.

Mr. ALEXANDER. If we do not act on it to-day or to-morrow, I fear it will be too late.

Mr. MANN. Why do we not dispose of it now?

Mr. ALEXANDER. I would be glad to do so unless there is to be prolonged debate upon it.

Mr. FITZGERALD. If we can get started on the general deficiency bill, I will move to rise at half past 4 o'clock in order to take up the seamen's bill.

The SPEAKER. The Chair will inquire of the gentleman from Missouri how long it will take to act upon the conference report?

Mr. ALEXANDER. I am not sure. I know that no member of the committee desires to discuss it at length. I am not informed whether there will be any opposition to the report or not.

Mr. HUMPHREY of Washington. Mr. Speaker, I want to state that I want some time on the conference report on the seamen's bill.

Mr. ALEXANDER. How much?

Mr. HUMPHREY of Washington. Not less than 30 minutes.

Mr. MOORE. And I would like to have some time on the seamen's bill.

Mr. FITZGERALD. I will ask unanimous consent that general debate on the general deficiency bill be limited to four hours, one-half to be controlled by the gentleman from Massachusetts and one-half by myself, and if that request is granted I shall withdraw the motion to go into Committee of the Whole House on the state of the Union at this time to enable the gentleman from Missouri to proceed with the conference report at once.

Mr. MANN. Can not the gentleman make it four hours and a quarter?

Mr. GILLETT. Will the gentleman from New York give me some of his time?

Mr. FITZGERALD. I will give the gentleman from Massachusetts one-quarter of an hour.

Mr. GILLETT. That is two hours and a quarter for this side and one hour and three quarters for the other side.

Mr. FITZGERALD. Yes; I will yield the gentleman 15 minutes.

The SPEAKER. Pending the motion to go into Committee of the Whole House on the state of the Union, the gentleman from New York asks unanimous consent that general debate on the deficiency bill be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from Massachusetts [Mr. GILLETT]. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, is the request of the gentleman from Missouri [Mr. ALEXANDER] coupled with this request?

The SPEAKER. It is not; but the gentleman from New York has stated that as soon as he obtains this agreement he will yield the floor to the gentleman from Missouri [Mr. ALEXANDER] to call up the conference report.

Mr. STAFFORD. Mr. Speaker, I have just sent to the document room for a copy of the seamen's bill, and I have been advised that copies are not available at this time. I have a copy of the conference report, but I have no copy of the bill.

Mr. FITZGERALD. I suggest that I can go on until 1 o'clock.

Mr. GILLETT. The bill is here.

Mr. MANN. I understand the bill was printed a month ago. The SPEAKER. The Chair understands a copy of the bill is here. Does the gentleman from New York desire to go on with the deficiency appropriation bill?

Mr. FITZGERALD. If the gentleman from Missouri makes his motion, I shall not raise the question. I understand the gentleman from Missouri desires to call up the conference report on the seamen's bill.

The SPEAKER. Does the gentleman from Missouri intend to call up that conference report at this time?

Mr. ALEXANDER. Yes, Mr. Speaker. I understand the conference report is here.

Mr. MANN. The papers should be on the Clerk's desk.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and it is so ordered.

#### QUESTION OF PERSONAL PRIVILEGE.

Mr. LEWIS of Maryland. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. LEWIS of Maryland. Mr. Speaker, in the Post Office appropriation bill of the Sixty-second Congress, in what is known as the parcel-post section, a provision was inserted providing for a joint committee of the House and Senate to make inquiry into the subject of a general parcel post and all matters relating thereto. On the part of the House the Speaker appointed the gentleman from South Carolina, Mr. Finley, the gentleman from New Jersey, Mr. Gardner, and myself, and on the part of the Senate three Members of that body were appointed. The legal authority of that committee to act expired in December of last year. The committee itself never held a meeting, except one lasting about half an hour, at which time the Senator from Kansas, Mr. Bristow, was elected chairman. Despite the fact that the committee held no meetings whatever and had no consultations whatever, the chairman of the committee prepared a report, which the two members of the committee on the part of the Senate latterly signed, which has been issued since the date of the expiration of the power of the committee itself. The members on the part of the House have not joined in that report, and they have declined to do so, because no consideration of the subject by the committee had been had and the committee was without legal authority, in their judgment, to issue such a report. Mr. Speaker, in my judgment the issuing of the report under these circumstances was a breach of the rules of this House, and the report ought not to be received by the House.

I wish now to ask unanimous consent to extend my remarks in the Record for the purpose of dealing with the subject of the report so made.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the Record on the subject about which he has spoken in the manner indicated. Is there objection?

There was no objection.

#### THE MERCHANT MARINE.

Mr. ALEXANDER. Mr. Speaker, I call up the conference report on the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Missouri calls up the conference report on the seamen's bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. HUMPHREY of Washington. Mr. Speaker, reserving the right to object, I want to know whether we can arrange some time for debate?

Mr. ALEXANDER. I am entitled to an hour. How much time does the gentleman from Washington desire?

Mr. HUMPHREY of Washington. Mr. Speaker, I would like to have 30 minutes.

Mr. MOORE. Mr. Speaker, I shall want some time, if the gentleman can arrange it.

Mr. ALEXANDER. How much time does the gentleman from Pennsylvania desire?

Mr. MOORE. About 15 minutes.

Mr. ALEXANDER. That would be 45 minutes. Does anyone else desire any time?

Mr. MANN. The gentleman from Kansas [Mr. MURDOCK] says that the gentleman from Washington [Mr. BRYAN] wanted 2 or 3 minutes. I suppose he can obtain those from the gentleman from Missouri?

Mr. ALEXANDER. Yes. Does the gentleman from Massachusetts [Mr. GREENE] desire any time?

Mr. GREENE of Massachusetts. I do not.

Mr. ALEXANDER. Mr. Speaker, I would suggest, then, that the time be limited to an hour and a half, and in that connection I ask unanimous consent that those who speak on the bill may have leave to revise and extend their remarks in the Record.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the debate on the conference report be limited to an hour and a half, one half to be controlled by himself and the other half—

Mr. ALEXANDER. By the gentleman from Massachusetts [Mr. GREENE].

The SPEAKER. And the other half by the gentleman from Massachusetts [Mr. GREENE], and that all gentlemen who speak shall have the right to extend their remarks in the Record. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. Is there objection to the request of the gentleman from Missouri that the statement of the managers on the part of the House be read in lieu of the report? [After a pause.] The Chair hears none, and the Clerk will read the statement.

The conference report is as follows:

#### CONFERENCE REPORT (NO. 1439).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 136, "An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed by the House insert the following:

That section 4516 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. This section shall not apply to fishing or whaling vessels or yachts."

SEC. 2. That in all merchant vessels of the United States of more than 100 tons gross, excepting those navigating rivers, harbors, bays, or sounds exclusively, the sailors shall, while at sea, be divided into at least two and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel. The seamen shall not be shipped to work alternately in the fireroom and on deck, nor shall those shipped for deck duty be required to work in the fireroom, or vice versa; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, the whole or any part of the crew are needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo, or for the saving of life aboard other vessels in jeopardy, or when in port or at sea from requiring the whole or any part of the crew to participate in the performance of fire, lifeboat, and other drills. While such vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named days: New Year's Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. And at all times while such vessel is in a safe harbor, nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to fishing or whaling vessels, or yachts.

SEC. 3. That section 4529 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two

days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within 24 hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage."

SEC. 4. That section 4530 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4530. Every seaman on a vessel of the United States shall be entitled to receive on demand from the master of the vessel to which he belongs one-half part of the wages which he shall have then earned at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended and all stipulations in the contract to the contrary shall be void: *Provided*, Such a demand shall not be made before the expiration of nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract and he shall be entitled to full payment of wages earned. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him, as provided in section 4529 of the Revised Statutes: *Provided further*, That notwithstanding any release signed by any seaman under section 4552 of the Revised Statutes any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: *And provided further*, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement."

SEC. 5. That section 4559 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4559. Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome, thereupon, in any of these or like cases the consul or a commercial agent who may discharge any of the duties of a consul shall cause to be appointed three persons of like qualifications with those described in section 4557, who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section."

SEC. 6. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, be, and is hereby, amended to read as follows:

"SEC. 2. That on all merchant vessels of the United States the construction of which shall be begun after the passage of this act, except yachts, pilot boats, or vessels of less than 100 tons register, every place appropriated to the crew of the vessel shall have a space of not less than 120 cubic feet and not less than 16 square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged therein, and each seaman shall have a separate berth and not more than one berth shall be placed one above another; such place or lodging shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvia of cargo or bilge water. And every such crew space shall be kept free from goods or stores not being the personal property of the crew occupying said place in use during the voyage."

"That in addition to the space allotment for lodgings hereinbefore provided, on all merchant vessels of the United States which in the ordinary course of their trade make voyages of more than three days' duration between ports, and which carry a crew of 12 or more seamen, there shall be constructed a compartment, suitably separated from other spaces, for hospital purposes, and such compartment shall have at least one bunk for every 12 seamen constituting her crew, provided that not more than six bunks shall be required in any case."

"Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they are applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated."

"All merchant vessels of the United States the construction of which shall be begun after the passage of this act having more than 10 men on deck must have at least one light, clean, and properly ventilated washing place. There shall be provided at least one washing outfit for every two men of the watch. The washing place shall be properly heated. A separate washing place shall be provided for the fireroom and engine-room men, if their number exceed 10, which shall be large enough to accommodate at least one-sixth of them at the same time, and have hot and cold water supply and a sufficient number of washbasins, sinks, and shower baths."

"Any failure to comply with this section shall subject the owner or owners of such vessel to a penalty of not less than \$50 nor more than \$500: *Provided*, That forecastles shall be fumigated at such intervals as may be provided by regulations to be issued by the Surgeon General of the Public Health Service, with the approval of the Department of Commerce, and shall have at least two exits, one of which may be used in emergencies."

SEC. 7. That section 4596 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offenses, he shall be punished as follows:

"First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned."

"Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within 24 hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute."

"Third. For quitting the vessel without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay."

"Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month."

"Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every 24 hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay, or by imprisonment for not more than three months, at the discretion of the court."

"Sixth. For assaulting any master or mate, by imprisonment for not more than two years."

"Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than 12 months."

"Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than 12 months."

SEC. 8. That section 4600 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that

purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

SEC. 9. That section 4611 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"Sec. 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section, it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable, provided he has actual knowledge of the misdemeanor, or complaint thereof is made within three days after reaching port. Any failure on the part of such master to use due diligence to comply herewith, which failure shall result in the escape of such officer, shall render the master or vessel or the owner of the vessel liable in damages for such flogging or corporal punishment to the person illegally punished by such officer."

SEC. 10. That section 23 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended as regards the items of water and butter, so that in lieu of a daily requirement of 4 quarts of water there shall be a requirement of 5 quarts of water every day, and in lieu of a daily requirement of 1 ounce of butter there shall be a requirement of 2 ounces of butter every day.

SEC. 11. That section 24 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended to read as follows:

"Sec. 24. That section 10 of chapter 121 of the laws of 1884, as amended by section 3 of chapter 421 of the laws of 1886, be, and is hereby, amended to read as follows:

"SEC. 10. (a) That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order, or note, or other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case except as herein provided absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than \$500.

"(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

"(c) That no allotment shall be valid unless in writing and signed by and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

"(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation, as above described of a seaman under this section

shall for every such offense be punished by a fine not exceeding \$500 or imprisonment not exceeding six months, at the discretion of the court.

"(e) That this section shall apply as well to foreign vessels while in waters of the United States as to vessels of the United States, and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for similar violation.

"The master, owner, consignee, or agent of any vessel of the United States, or of any foreign vessel seeking clearance from a port of the United States, shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

"(f) That under the direction of the Secretary of Commerce the Commissioner of Navigation shall make regulations to carry out this section."

SEC. 12. That no wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court, and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages or of any attachment, encumbrance, or arrestment thereon; and no assignment or sale of wages or of salvage made prior to the accruing thereof shall bind the party making the same, except such allotments as are authorized by this title. This section shall apply to fishermen employed on fishing vessels as well as to seamen: *Provided*, That nothing contained in this or any preceding section shall interfere with the order by any court regarding the payment by any seaman of any part of his wages for the support and maintenance of his wife and minor children. Section 4536 of the Revised Statutes of the United States is hereby repealed.

SEC. 13. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew, exclusive of licensed officers and apprentices, are of a rating not less than able seaman. Every person shall be rated an able seaman, and qualified for service as such on the seas, who is 19 years of age or upward, and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or coast-guard vessels; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays, or sounds, who is 19 years of age or upward and has had at least 18 months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or coast-guard vessels; and graduate of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seamen after 12 months' service at sea: *Provided*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship a person found competent may be rated as able seaman after having served on deck 12 months at sea, or on the Great Lakes; but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of the number of able seamen required by this section to be shipped or employed upon any vessel.

Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit and examination, under rules approved by the Secretary of Commerce, showing the nationality and age of the applicant and the vessel or vessels on which he has had service and that he is entitled to such certificate under the provisions of this section, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits upon which said certificates are issued.

The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs or is scheduled to depart: *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury, and upon conviction thereof shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section by the owner, master, or officer in charge of the vessel shall subject the owner of such vessel to a penalty of not less than \$100 and not more than \$500: *And provided further*, That the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of this section, and nothing herein shall be held or construed to prevent the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, from making rules and regulations authorized by law as to vessels excluded from the operation of this section.

Sec. 14. That section 4488 of the Revised Statutes is hereby amended by adding thereto the following: "The powers bestowed by this section upon the Board of Supervising Inspectors in respect of lifeboats, floats, rafts, life preservers, and other life-saving appliances and equipment, and the further requirements herein as to davits, embarkation of passengers in lifeboats and rafts, and the manning of lifeboats and rafts, and the musters and drills of the crews, on steamers navigating the ocean, or any lake, bay, or sound of the United States, on and after July 1, 1915, shall be subject to the provisions, limitations, and minimum requirements of the regulations herein set forth, and all such vessels shall thereafter be required to comply in all respects therewith: *Provided*, That foreign vessels leaving ports of the United States shall comply with the rules herein prescribed as to life-saving appliances, their equipment, and the manning of same."

#### REGULATIONS.

##### LIFE-SAVING APPLIANCES.

##### STANDARD TYPES OF BOATS.

The standard types of boats classified as follows:

Class.	Section.	Type.
I. Entirely rigid sides.....	A. Open.....	Internal buoyancy only.
	B. Open.....	Internal and external buoyancy.
	C. Pontoon.....	Well deck; fixed water-tight bulwarks.
II. Partially collapsible sides.	A. Open.....	Upper part of sides collapsible.
	B. Pontoon.....	Well deck, collapsible water-tight bulwarks.
	C. Pontoon.....	Flush deck; collapsible water-tight bulwarks.

##### STRENGTH OF BOATS.

Each boat must be of sufficient strength to enable it to be safely lowered into the water when loaded with its full complement of persons and equipment.

##### ALTERNATIVE TYPES OF BOATS AND RAFTS.

Any type of boat may be accepted as equivalent to a boat of one of the prescribed classes and any type of raft as equivalent to an approved pontoon raft if the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, is satisfied by suitable trials that it is as effective as the standard types of the class in question, or as the approved type of pontoon raft, as the case may be.

Motor boats may be accepted if they comply with the requirements laid down for boats of the first class, but only to a limited number, which number shall be determined by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce.

No boat may be approved the buoyancy of which depends upon the previous adjustment of one of the principal parts of the hull or which has not a cubic capacity of at least 125 cubic feet.

##### BOATS OF THE FIRST CLASS.

The standard types of boats of the first class must satisfy the following conditions:

##### 1A.—OPEN BOATS WITH INTERNAL BUOYANCY ONLY.

The buoyancy of a wooden boat of this type shall be provided by water-tight air cases, the total volume of which shall be at least equal to one-tenth of the cubic capacity of the boat.

The buoyancy of a metal boat of this type shall not be less than that required above for a wooden boat of the same cubic capacity, the volume of water-tight air cases being increased accordingly.

##### 1A.—OPEN BOATS WITH INTERNAL AND EXTERNAL BUOYANCY.

The internal buoyancy of a wooden boat of this type shall be provided by water-tight air cases, the total volume of which is at least equal to  $7\frac{1}{2}$  per cent of the cubic capacity of the boat.

The external buoyancy may be of cork or of any other equally efficient material, but such buoyancy shall not be secured by the use of rushes, cork shavings, loose granulated cork, or any other loose granulated substance, or by any means dependent upon inflation by air.

If the buoyancy is of cork, its volume, for a wooden boat, shall not be less than 0.033 of the cubic capacity of the boat; if of any material other than cork, its volume and distribution shall be such that the buoyancy and stability of the boat are not less than that of a similar boat provided with buoyancy of cork.

The buoyancy of a metal boat shall be not less than that required above for a wooden boat of the same cubic capacity, the volume of the air cases and external buoyancy being increased accordingly.

##### 1C.—PONTON BOATS, IN WHICH PERSONS CAN NOT BE ACCOMMODATED BELOW THE DECK, HAVING A WELL DECK AND FIXED WATER-TIGHT BULWARKS.

The area of the well deck of a boat of this type shall be at least 30 per cent of the total deck area. The height of the well deck above the water line at all points shall be at least equal to one-half per cent of the length of the boat, this height being increased to  $1\frac{1}{2}$  per cent of the length of the boat at the ends of the well.

The freeboard of a boat of this type shall be such as to provide for a reserve buoyancy of at least 35 per cent.

##### BOATS OF THE SECOND CLASS.

The standard types of boats of the second class must satisfy the following conditions:

##### 2A.—OPEN BOATS HAVING THE UPPER PART OF THE SIDES COLLAPSIBLE.

A boat of this type shall be fitted both with water-tight air cases and with external buoyancy, the volume of which, for each person which the boat is able to accommodate, shall be at least equal to the following amounts: Air cases, 1.5 cubic feet; external buoyancy (if of cork), 0.2 cubic foot.

The minimum freeboard of boats of this type is fixed in relation to their length; it is measured vertically to the top of the solid hull at the side amidships, from the water level when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts:

Length of the boat.	Minimum freeboard.
Feet.	Inches.
26	8
28	9
30	10

The freeboard of boats of intermediate lengths is to be found by interpolation.

##### 2B.—PONTON BOATS HAVING A WELL DECK AND COLLAPSIBLE BULWARKS.

All the conditions laid down for boats of type 1C are to be applied to boats of this type, which differ from those of type 1C only in regard to the bulwarks.

##### 2C.—PONTON BOATS, IN WHICH THE PERSONS CAN NOT BE ACCOMMODATED BELOW DECK, HAVING A FLUSH DECK AND COLLAPSIBLE BULWARKS.

The minimum freeboard of boats of this type is independent of their lengths and depends only upon their depth. The depth of the boat is to be measured vertically from the underside of the garboard strake to the top of the deck on the side amidships, and the freeboard is to be measured from the top of the deck at the side amidships to the water level when the boat is loaded.

The freeboard in fresh water shall not be less than the following amounts, which are applicable without correction to boats having a mean sheer equal to 3 per cent of their length:

Depth of boat.	Minimum freeboard.
Inches.	Inches.
12	23
18	33
20	56
30	64

For intermediate depths the freeboard is obtained by interpolation.

If the sheer is less than the standard sheer defined above, the minimum freeboard is obtained by adding to the figures in the table one-seventh of the difference between the standard sheer and the actual mean sheer measured at the stem and sternpost. No deduction is to be made from the freeboard on account of the sheer being greater than the standard sheer or on account of the camber of the deck.

#### MOTOR BOATS.

When motor boats are accepted, the volume of internal buoyancy and, when fitted, the external buoyancy, must be fixed, having regard to the difference between the weight of the motor and its accessories and the weight of the additional persons which the boat could accommodate if the motor and its accessories were removed.

#### ARRANGEMENTS FOR CLEARING PONTOON LIFEBOAT OF WATER.

All pontoon lifeboats shall be fitted with efficient means for quickly clearing the deck of water. The orifices for this purpose shall be such that the water can not enter the boat through them when they are intermittently submerged. The number and size of the orifices shall be determined for each type of boat by a special test.

For the purpose of this test the pontoon boat shall be loaded with a weight of iron or bags of sand equal to that of its complement of persons and equipment.

In the case of a boat 28 feet in length 2 tons of water shall be cleared from the boat in a time not exceeding the following: Type 1C, 60 seconds; type 2B, 60 seconds; type 2C, 20 seconds.

In the case of a boat having a length greater or less than 28 feet the weight of water to be cleared in the same time shall be for each type directly proportional to the length of the boat.

#### CONSTRUCTION OF BOATS.

Open lifeboats of the first class (types 1A and 1B) must have a mean sheer at least equal to 4 per cent of their length.

The air cases of open boats of the first class shall be placed along the sides of the boat; they may also be placed at the ends of the boat, but not in the bottom of the boat.

Pontoon lifeboats may be built of wood or metal. If constructed of wood, they shall have the bottom and deck made of two thicknesses with textile material between; if of metal, they shall be divided into water-tight compartments with means of access to each compartment.

All boats shall be fitted for the use of a steering oar.

#### PONTOON RAFTS.

No type of pontoon raft may be approved unless it satisfies the following conditions:

First. It should be reversible and fitted with bulwarks of wood, canvas, or other suitable material on both sides. These bulwarks may be collapsible.

Second. It should be of such size, strength, and weight that it can be handled without mechanical appliances, and, if necessary, be thrown from the vessel's deck.

Third. It should have not less than 3 cubic feet of air cases or equivalent buoyancy for each person whom it can accommodate.

Fourth. It should have a deck area of not less than 4 square feet for each person whom it can accommodate and the platform should not be less than 6 inches above the water level when the raft is loaded.

Fifth. The air cases or equivalent buoyancy should be placed as near as possible to the sides of the raft.

#### CAPACITY OF BOATS AND PONTOON RAFTS.

First. The number of persons which a boat of one of the standard types or a pontoon raft can accommodate is equal to the greatest whole number obtained by dividing the capacity in cubic feet, or the surface in square feet, of the boat or of the raft by the standard unit of capacity, or unit of surface (according to circumstances), defined below for each type.

Second. The cubic capacity in feet of a boat in which the number of persons is determined by the surface shall be assumed to be 10 times the number of persons which it is authorized to carry.

Third. The standard units of capacity and surface are as follows:

Units of capacity, open boats, type 1A, 10 cubic feet; open boats, type 1B, 9 cubic feet.

Unit of surface, open boats, type 2A,  $3\frac{1}{2}$  square feet; pontoon boats, type 2C,  $3\frac{1}{2}$  square feet; pontoon boats, type 1C,  $3\frac{1}{2}$  square feet; pontoon boats, type 2B,  $3\frac{1}{2}$  square feet.

Fourth. The Board of Supervising Inspectors, with the approval of the Secretary of Commerce, may accept, in place of

$3\frac{1}{2}$ , a smaller divisor, if it is satisfied after a trial that the number of persons for whom there is seating accommodation in the pontoon boat in question is greater than the number obtained by applying the above divisor, provided always that the divisor adopted in place of  $3\frac{1}{2}$  may never be less than 3.

#### CAPACITY LIMITS.

Pontoon boats and pontoon rafts shall never be marked with a number of persons greater than that obtained in the manner specified in this section.

This number shall be reduced—

First. When it is greater than the number of persons for which there is proper seating accommodation, the latter number being determined in such a way that the persons when seated do not interfere in any way with the use of the oars.

Second. When in the case of boats other than those of the first two sections of the first class, the freeboard, when the boat is fully loaded, is less than the freeboard laid down for each type, respectively. In such circumstances the number shall be reduced until the freeboard, when the boat is fully loaded, is at least equal to the standard freeboard laid down above.

In boats of types 1C and 2B the raised part of the deck at the sides may be regarded as affording seating accommodation.

#### EQUIVALENTS FOR AND WEIGHT OF THE PERSONS.

In test for determining the number of persons which a boat or pontoon raft can accommodate each person shall be assumed to be an adult person wearing a life jacket.

In verifications of freeboard the pontoon boats shall be loaded with a weight of at least 165 pounds for each adult person that the pontoon boat is authorized to carry.

In all cases two children under 12 years of age shall be reckoned as one person.

#### CUBIC CAPACITY OF OPEN BOATS OF THE FIRST CLASS.

First. The cubic capacity of an open boat of type 1A or 1B shall be determined by Stirling's (Simpson's) rule or by any other method, approved by the Board of Supervising Inspectors, giving the same degree of accuracy. The capacity of a square-sterned boat shall be calculated as if the boat had a pointed stern.

Second. For example, the capacity in cubic feet of a boat, calculated by the aid of Stirling's rule, may be considered as given by the following formula:

$$\text{Capacity} = \frac{l}{12}(4A + 2B + 4C),$$

$l$  being the length of the boat in meters (or feet) from the inside of the planking or plating at the stem of the corresponding point at the sternpost; in the case of a boat with a square stern, the length is measured to the inside of the transom.

$A$ ,  $B$ ,  $C$  denote, respectively, the areas of the cross sections at the quarter length forward, amidships, and the quarter length aft, which correspond to the three points obtained by dividing  $l$  into four equal parts. (The areas corresponding to the two ends of the boat are considered negligible.)

The areas  $A$ ,  $B$ ,  $C$  shall be deemed to be given in square feet by the successive application of the following formula to each of the three cross sections:

$$\text{Area} = \frac{h}{12}(a + 4b + 2c + 4d + e),$$

$h$  being the depth measured in meters (or in feet) inside the planking or plating from the keel to the level of the gunwale, or, in certain cases, to a lower level, as determined hereafter.

$a$ ,  $b$ ,  $c$ ,  $d$ ,  $e$  denote the horizontal breadths of the boat measured in feet at the upper and lower points of the depth and at the three points obtained by dividing  $h$  into four equal parts ( $a$  and  $e$  being the breadths at the extreme points, and  $c$  at the middle point, of  $h$ ).

Third. If the sheer of the gunwale, measured at the two points situated at a quarter of the length of the boat from the ends, exceeds 1 per cent of the length of the boat, the depth employed in calculating the area of the cross sections  $A$  or  $C$  shall be deemed to be the depth amidships plus 1 per cent of the length of the boat.

Fourth. If the depth of the boat amidships exceeds 45 per cent of the breadth, the depth employed in calculating the area of the midship cross section  $B$  shall be deemed to be equal to 45 per cent of the breadth; and the depth employed in calculating the areas of the quarter-length sections  $A$  and  $C$  is obtained by increasing this last figure by an amount equal to 1 per cent of the length of the boat, provided that in no case shall the depths employed in the calculation exceed the actual depths at these points.

Fifth. If the depth of the boat is greater than 4 feet, the number of persons given by the application of this rule shall

be reduced in proportion to the ratio of 4 feet to the actual depth, until the boat has been satisfactorily tested afloat with that number of persons on board all wearing life jackets.

Sixth. The Board of Supervising Inspectors shall impose, by suitable formulae, a limit for the number of persons allowed in boats with very fine ends and in boats very full in form.

Seventh. The Board of Supervising Inspectors may by regulation assign to a boat a capacity equal to the product of the length, the breadth, and the depth multiplied by six-tenths if it is evident that this formula does not give a greater capacity than that obtained by the above method. The dimensions shall then be measured in the following manner:

Length. From the intersection of the outside of the planking with the stem to the corresponding point at the sternpost or, in the case of a square-sterned boat, to the afterside of the transom.

Breadth. From the outside of the planking at the point where the breadth of the boat is greatest.

Depth. Amidships inside the planking from the keel to the level of the gunwale, but the depth used in calculating the cubic capacity may not in any case exceed 45 per cent of the breadth.

In all cases the vessel owner has the right to require that the cubic capacity of the boat shall be determined by exact measurement.

Eighth. The cubic capacity of a motor boat is obtained from the gross capacity by deducting a volume equal to that occupied by the motor and its accessories.

#### DECK AREA OF PONTOON BOATS AND OPEN BOATS OF THE SECOND CLASS.

First. The area of the deck of a pontoon boat of type 1C, 2B, or 2C shall be determined by the method indicated below or by any other method giving the same degree of accuracy. The same rule is to be applied in determining the area within the fixed bulwarks of a boat of type 2A.

Second. For example, the surface in square feet of a boat may be deemed to be given by the following formula:

$$\text{Area} = \frac{l}{12} (2a + 1.5b + 4c + 1.5d + 2e),$$

$l$  being the length in feet from the intersection of the outside of the planking with the stem to the corresponding point at the sternpost.

$a, b, c, d, e$  denote the horizontal breadths in feet outside the planking at the points obtained by dividing  $l$  into four equal parts and subdividing the foremost and aftermost parts into two equal parts ( $a$  and  $e$  being the breadths at the extreme subdivisions,  $c$  at the middle point of the length, and  $b$  and  $d$  at the intermediate points).

#### MARKING OF BOATS AND PONTOON RAFTS.

The dimensions of the boat and the number of persons which it is authorized to carry shall be marked on it in clear, permanent characters, according to regulations by the Board of Supervising Inspectors approved by the Secretary of Commerce. These marks shall be specifically approved by the officers appointed to inspect the ship.

Pontoon rafts shall be marked with the number of persons in the same manner.

#### EQUIPMENT OF BOATS AND PONTOON RAFTS.

First. The normal equipment of every boat shall consist of—

(a) A single-blanked complement of oars and two spare oars; one set and a half of thole pins or crutches; a boat hook.

(b) Two plugs for each plug hole (plugs are not required when proper automatic valves are fitted); a bailer and a galvanized-iron bucket.

(c) A tiller or yoke and yoke lines.

(d) Two hatchets.

(e) A lamp filled with oil and trimmed.

(f) A mast or masts with one good sail at least, and proper gear for each. (This does not apply to motor lifeboats or lifeboats on the Great Lakes or other inland waters.)

(g) A suitable compass.

Pontoon lifeboats will have no plug hole, but shall be provided with at least two bilge pumps.

In the case of a steamer which carries passengers in the North Atlantic, all the boats need not be equipped with masts, sails, and compasses, if the ship is provided with a radiotelegraph installation.

Second. The normal equipment of every approved pontoon raft shall consist of—

(a) Four oars.

(b) Five rowlocks.

(c) A self-igniting life-buoy light.

Third. In addition, every boat and every pontoon raft shall be equipped with—

(a) A life line becketed around the outside.

(b) A sea anchor.

(c) A painter.

(d) A vessel containing 1 gallon of vegetable or animal oil. The vessel shall be so constructed that the oil can be easily distributed on the water and so arranged that it can be attached to the sea anchor.

(e) A water-tight receptacle containing 2 pounds avoirdupois of provisions for each person, except on vessels navigating fresh water.

(f) A water-tight receptacle containing 1 quart for each person, except on vessels navigating fresh water.

(g) A number of self-igniting "red lights" and a water-tight box of matches.

Fourth. All loose equipment must be securely attached to the boat or pontoon raft to which it belongs.

#### STOWAGE OF BOATS—NUMBER OF DAVITS.

The minimum number of sets of davits is fixed in relation to the length of the vessel; provided that a number of sets of davits greater than the number of boats necessary for the accommodation of all the persons on board may not be required.

#### HANDLING OF THE BOATS AND RAFTS.

All the boats and rafts must be stowed in such a way that they can be launched in the shortest possible time and that, even under unfavorable conditions of list and trim from the point of view of the handling of the boats and rafts, it may be possible to embark in them as large a number of persons as possible.

The arrangements must be such that it may be possible to launch on either side of the vessel as large a number of boats and rafts as possible.

#### STRENGTH AND OPERATION OF THE DAVITS.

The davits shall be of such strength that the boats can be lowered with their full complement of persons and equipment, the vessel being assumed to have a list of 15°.

The davits must be fitted with a gear of sufficient power to insure that the boat can be turned out against the maximum list under which the lowering of the boats is possible on the vessel in question.

#### OTHER APPLIANCES EQUIVALENT TO DAVITS.

Any appliance may be accepted in lieu of davits or sets of davits if the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, is satisfied after proper trials that the appliance in question is as effective as davits for placing the boats in the water.

#### DAVITS.

Each set of davits shall have a boat of the first class attached to it, provided that the number of open boats of the first class attached to davits shall not be less than the minimum number fixed by the table which follows.

If it is neither practicable nor reasonable to place on a vessel the minimum number of sets of davits required by the rules, the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, may authorize a smaller number of sets of davits to be fitted, provided always that this number shall never be less than the minimum number of open boats of the first class required by the rules.

If a large proportion of the persons on board are accommodated in boats whose length is greater than 50 feet, a further reduction in the number of sets of davits may be allowed exceptionally, if the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, is satisfied that the arrangements are in all respects satisfactory.

In all cases in which a reduction in the minimum number of sets of davits or other equivalent appliances required by the rules is allowed, the owner of the vessel in question shall be required to prove, by a test made in the presence of an officer designated by the Supervising Inspector General, that all the boats can be efficiently launched in a minimum time.

The conditions of this test shall be as follows:

First. The vessel is to be upright and in smooth water.

Second. The time is the time required from the beginning of the removal of the boat covers, or any other operation necessary to prepare the boats for lowering, until the last boat or pontoon raft is afloat.

Third. The number of men employed in the whole operation must not exceed the total number of boat hands that will be carried on the vessel under normal service conditions.

Fourth. Each boat when being lowered must have on board at least two men and its full equipment as required by the rules.

The time allowed for putting all the boats into the water shall be fixed by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce.

MINIMUM NUMBER OF DAVITS AND OF OPEN BOATS OF THE FIRST CLASS—MINIMUM BOAT CAPACITY.

The following table fixes, according to the length of the vessel—

(A) The minimum number of sets of davits to be provided, to each of which must be attached a boat of the first class in accordance with this section.

(B) The minimum total number of open boats of the first class, which must be attached to davits, in accordance with this section.

(C) The minimum boat capacity required, including the boats attached to davits and the additional boats, in accordance with this section.

Registered length of the ship (feet).	(A) Minimum number of sets of davits.	(B) Minimum number of open boats of the first class.	(C) Minimum capacity of lifeboats.
			<i>Cubic feet.</i>
100 and less than 120.....	2	2	980
120 and less than 140.....	2	2	1,220
140 and less than 160.....	2	2	1,550
160 and less than 175.....	3	3	1,880
175 and less than 190.....	3	3	2,390
190 and less than 205.....	4	4	2,740
205 and less than 220.....	4	4	3,330
220 and less than 230.....	5	4	3,900
230 and less than 245.....	5	4	4,500
245 and less than 255.....	6	5	5,100
255 and less than 270.....	6	5	5,640
270 and less than 285.....	7	5	6,190
285 and less than 300.....	7	5	6,930
300 and less than 315.....	8	6	7,550
315 and less than 330.....	8	6	8,290
330 and less than 350.....	9	7	9,000
350 and less than 370.....	9	7	9,680
370 and less than 390.....	10	7	10,650
390 and less than 410.....	10	7	11,700
410 and less than 435.....	12	9	13,060
435 and less than 460.....	12	9	14,430
460 and less than 490.....	14	10	15,920
490 and less than 520.....	14	10	17,310
520 and less than 550.....	16	12	18,720
550 and less than 580.....	16	12	20,350
580 and less than 610.....	18	13	21,900
610 and less than 640.....	18	13	23,700
640 and less than 670.....	20	14	25,350
670 and less than 700.....	20	14	27,050
700 and less than 730.....	22	15	28,560
730 and less than 760.....	22	15	30,180
760 and less than 790.....	24	17	32,100
790 and less than 820.....	24	17	34,350
820 and less than 855.....	26	18	36,450
855 and less than 890.....	26	18	38,750
890 and less than 925.....	28	19	41,000
925 and less than 960.....	28	19	43,880
960 and less than 995.....	30	20	46,350
995 and less than 1,030.....	30	20	48,750

When the length of the vessel exceeds 1,030 feet, the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, shall determine the minimum number of sets of davits and of open boats of the first class for that vessel.

EMBARKATION OF THE PASSENGERS IN THE LIFEBOATS AND RAFTS.

Suitable arrangements shall be made for embarking the passengers in the boats, in accord with regulations by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce.

In vessels which carry rafts there shall be a number of rope or wooden ladders always available for use in embarking the persons onto the rafts.

The number and arrangement of the boats, and (where they are allowed) of the pontoon rafts, on a vessel depends upon the total number of persons which the vessel is intended to carry: *Provided*, That there shall not be required on any voyage a total capacity in boats, and (where they are allowed) pontoon rafts, greater than that necessary to accommodate all the persons on board.

At no moment of its voyage shall any passenger steam vessel of the United States on ocean routes more than 20 nautical miles offshore have on board a total number of persons greater than that for whom accommodation is provided in the lifeboats and pontoon life rafts on board.

If the lifeboats attached to davits do not provide sufficient accommodation for all persons on board, additional lifeboats of one of the standard types shall be provided. This addition

shall bring the total capacity of the boats on the vessel at least up to the greater of the two following amounts:

(a) The minimum capacity required by these regulations.

(b) A capacity sufficient to accommodate 75 per cent of the persons on board.

The remainder of the accommodation required shall be provided, under regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, either in boats of class 1 or class 2, or in pontoon rafts of an approved type.

At no moment of its voyage shall any passenger steam vessel of the United States on ocean routes less than 20 nautical miles offshore have on board a total number of persons greater than that for whom accommodation is provided in the lifeboats and pontoon rafts on board. The accommodation provided in lifeboats shall in every case be sufficient to accommodate at least 75 per cent of the persons on board. The number and type of such lifeboats and life rafts shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce: *Provided*, That during the interval from May 15 to September 15, inclusive, any passenger steam vessel of the United States, on ocean routes less than 20 nautical miles offshore, shall be required to carry accommodation for not less than 70 per cent of the total number of persons on board in lifeboats and pontoon life rafts, of which accommodation not less than 50 per cent shall be in lifeboats and 50 per cent may be in collapsible boats or rafts, under regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce.

At no moment of its voyage may any ocean-cargo steam vessel of the United States have on board a total number of persons greater than that for whom accommodation is provided in the lifeboats on board. The number and types of such boats shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce.

At no moment of its voyage may any passenger steam vessel of the United States on the Great Lakes, on routes more than 3 miles offshore, except over waters whose depth is not sufficient to submerge all the decks of the vessel, have on board a total number of persons, including passengers and crew, greater than that for whom accommodation is provided in the lifeboats and pontoon life rafts on board. The accommodation provided in lifeboats shall in every case be sufficient to accommodate at least 75 per cent of the persons on board. The number and types of such lifeboats and life rafts shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce: *Provided*, That during the interval from May 15 to September 15, inclusive, any such steamer shall be required to carry accommodation for not less than 50 per cent of persons on board in lifeboats and pontoon life rafts, of which accommodation not less than two-fifths shall be in lifeboats and three-fifths may be in collapsible boats or rafts, under regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce: *Provided further*, That all passenger steam vessels of the United States, the keels of which are laid after the 1st of July, 1915, for service on ocean routes, from September 15 to May 15 on the Great Lakes or for service on routes more than 3 miles offshore, shall be built to carry, and shall carry, enough lifeboats and life rafts to accommodate all persons on board, including passengers and crew: *And provided further*, That no more than 25 per cent of such equipment may be in pontoon life rafts or collapsible lifeboats.

At no moment of its voyage may any cargo steam vessel of the United States on the Great Lakes have on board a total number of persons greater than that for whom accommodation is provided in the lifeboats on board. The number and types of such boats shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce.

The number, types, and capacity of lifeboats and life rafts, together with the proportion of such accommodation to the number of persons on board which shall be carried on steam vessels on the Great Lakes, on routes 3 miles or less offshore or over waters whose depth is not sufficient to submerge all the decks of the vessel, and on all other lakes, and on rivers, bays, and sounds, shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce.

All regulations by the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by this act shall be transmitted to Congress as soon as practicable after they are made.

The Secretary of Commerce is authorized in specific cases to exempt existing vessels from the requirements of this section that the davits shall be of such strength and shall be fitted with a gear of sufficient power to insure that the boats can be lowered with their full complement of persons and equipment,

the vessel being assumed to have a list of 15°, where their strict application would not be practicable or reasonable.

#### CERTIFICATED LIFEBOAT MEN—MANNING OF THE BOATS.

There shall be for each boat or raft a number of lifeboat men at least equal to that specified as follows: If the boat or raft carries 25 persons or less, the minimum number of certificated lifeboat men shall be 1; if the boat or raft carries 26 persons and less than 41 persons the minimum number of certificated lifeboat men shall be 2; if the boat or raft carries 41 persons and less than 61 persons, the minimum number of certificated lifeboat men shall be 3; if the boat or raft carries from 61 to 85 persons, the minimum number of certificated lifeboat men shall be 4; if the boat or raft carries from 86 to 110 persons, the minimum number of certificated lifeboat men shall be 5; if the boat or raft carries from 111 to 160 persons, the minimum number of certificated lifeboat men shall be 6; if the boat or raft carries from 161 to 210 persons, the minimum number of certificated lifeboat men shall be 7; and, thereafter, 1 additional certificated lifeboat man for each additional 50 persons: *Provided*, That if the raft carries 15 persons or less a licensed officer or able seaman need not be placed in charge of such raft: *Provided further*, That one-half the number of rafts carried shall have a capacity of exceeding 15 persons.

The allocation of the certificated lifeboat men to each boat and raft remains within the discretion of the master, according to the circumstances.

By "certificated lifeboat man" is meant any member of the crew who holds a certificate of efficiency issued under the authority of the Secretary of Commerce, who is hereby directed to provide for the issue of such certificates.

In order to obtain the special lifeboat man's certificate the applicant must prove to the satisfaction of an officer designated by the Secretary of Commerce that he has been trained in all the operations connected with launching lifeboats and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of understanding and answering the orders relative to lifeboat service.

Section 4463 of the Revised Statutes, as amended, is hereby amended by adding the words "including certificated lifeboat men, separately stated," to the word "crew" wherever it occurs.

#### MANNING OF BOATS.

A licensed officer or able seaman shall be placed in charge of each boat or pontoon raft; he shall have a list of its lifeboat men and other members of its crew, which shall be sufficient for her safe management, and shall see that the men placed under his orders are acquainted with their several duties and stations.

A man capable of working the motor shall be assigned to each motor boat.

The duty of seeing that the boats, pontoon rafts, and other life-saving appliances are at all times ready for use shall be assigned to one or more officers.

#### MUSTER ROLL AND DRILLS.

Special duties for the event of an emergency shall be allotted to each member of the crew.

The muster list shows all these special duties, and indicates, in particular, the station to which each man must go and the duties that he has to perform.

Before the vessel sails the muster list shall be drawn up and exhibited, and the proper authority, to be designated by the Secretary of Commerce, shall be satisfied that the muster list has been prepared for the vessel. It shall be posted in several parts of the vessel, and in particular in the crew's quarters.

#### MUSTER LIST.

The muster list shall assign duties to the different members of the crew in connection with—

- (a) The closing of the water-tight doors, valves, etc.
- (b) The equipment of the boats and rafts generally.
- (c) The launching of the boats attached to davits.
- (d) The general preparation of the other boats and the pontoon rafts.

- (e) The muster of the passengers.
- (f) The extinction of fire.

The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include—

- (a) Warning the passengers.
- (b) Seeing that they are dressed and have put on their life jackets in a proper manner.
- (c) Assembling the passengers.
- (d) Keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers.

The muster list shall specify definite alarm signals for calling all the crew to the boat and fire stations, and shall give full particulars of these signals.

#### MUSTERS AND DRILLS.

Musters of the crews at their boat and fire stations, followed by boat and fire drills, respectively, shall be held at least once a week, either in port or at sea. An entry shall be made in the official log book of these drills, or of the reasons why they could not be held.

Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practiced in the duties they have to perform, and that all the boats and pontoon rafts on the ship with the gear appertaining to them are always ready for immediate use.

#### LIFE JACKETS AND LIFE BUOYS.

A life jacket of an approved type, or other appliance of equal buoyancy and capable of being fitted on the body, shall be carried for every person on board, and, in addition, a sufficient number of life jackets, or other equivalent appliances, suitable for children.

First. A life jacket shall satisfy the following conditions:

- (a) It shall be of approved material and construction.
- (b) It shall be capable of supporting in fresh water for 24 hours 15 pounds avoirdupois of iron.

Life jackets the buoyancy of which depends on air compartments are prohibited.

Second. A life buoy shall satisfy the following conditions:

- (a) It shall be of solid cork or any other equivalent material.
- (b) It shall be capable of supporting in fresh water for 24 hours at least 31 pounds avoirdupois of iron.

Life buoys filled with rushes, cork shavings, or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

Third. The minimum number of life buoys with which vessels are to be provided is fixed as follows:

Length of the vessel under 400 feet, minimum number of buoys, 12; length of the vessel, 400 and under 600 feet, minimum number of buoys, 18; length of the vessel, 600 and under 800 feet, minimum number of buoys, 24; length of the vessel, 800 feet and over, minimum number of buoys, 30.

Fourth. All the buoys shall be fitted with beackets securely seized. At least one buoy on each side shall be fitted with a life line of at least 15 fathoms in length. The number of luminous buoys shall not be less than one-half of the total number of life buoys, and in no case less than 6. The lights shall be efficient self-igniting lights which can not be extinguished in water, and they shall be kept near the buoys to which they belong, with the necessary means of attachment.

Fifth. All the life buoys and life jackets shall be so placed as to be readily accessible to the persons on board; their position shall be plainly indicated so as to be known to the persons concerned.

The life buoys shall always be capable of being rapidly cast loose, and shall not be permanently secured in any way. The owner of any vessel who neglects or refuses to provide and equip his vessel with such lifeboats, floats, rafts, life preservers, line-carrying projectiles, and the means of propelling them, drags, pumps, or other appliances, as are required under the provisions of this section or under the regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by and made pursuant hereto, shall be fined not less than \$500 nor more than \$5,000; and every master of a vessel who shall fail to comply with the requirements of this section and the regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by and made pursuant hereto, shall, upon conviction, be fined not less than \$50 nor more than \$500. Section 4480 of the Revised Statutes is hereby repealed.

Sec. 15. That the owner, agent, or master of every barge which while in tow through the open sea has sustained or caused any accident shall be subject in all respects to the provisions of sections 10, 11, 12, and 13 of chapter 344 of the Statutes at Large, approved June 20, 1874, and the reports therein prescribed shall be transmitted by collectors of customs to the Secretary of Commerce, who shall transmit annually to Congress a summary of such reports during the previous fiscal year, together with a brief statement of the action of the department in respect to such accidents.

Sec. 16. That in the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting

or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment and any other treaty provision in conflict with the provisions of this act, ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within 90 days after the passage of this act, to give notice to the several Governments, respectively, that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

SEC. 17. That upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the case of the independent State of the Kongo, so much as hereinbefore described in each and every one of said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon section 5280 and so much of section 4081 of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be, and is hereby, repealed.

SEC. 18. That this act shall take effect, as to all vessels of the United States, 8 months after its passage, and as to foreign vessels 12 months after its passage, except that such parts hereof as are in conflict with articles of any treaty or convention with any foreign nation shall take effect as regards the vessels of such foreign nation on the expiration of the period fixed in the notice of abrogation of the said articles as provided in section 16 of this act.

SEC. 19. That section 16 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," be amended by adding at the end of the section the following:

"Provided, That at the discretion of the Secretary of Commerce, and under such regulations as he may prescribe, if any seaman incapacitated from service by injury or illness is on board a vessel so situated that a prompt discharge requiring the personal appearance of the master of the vessel before an American consul or consular agent is impracticable, such seaman may be sent to a consul or consular agent, who shall care for him and defray the cost of his maintenance and transportation, as provided in this paragraph."

SEC. 20. That in any suit to recover damages for any injury sustained on board vessel or in its service seamen having command shall not be held to be fellow servants with those under their authority.

And the House agree to the same.

JOSHUA W. ALEXANDER,  
RUFUS HARDY,  
M. E. BURKE,  
WILLIAM S. GREENE,  
C. F. CURRY,  
*Managers on the part of the House.*  
DUNCAN U. FLETCHER,  
GEO. E. CHAMBERLAIN,  
JAS. K. VARDAMAN,  
KNUTE NELSON,  
WILLIAM ALDEN SMITH,  
*Managers on the part of the Senate.*

The Clerk read the statement, as follows:

#### STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea, submit the following written statement explaining the effect of the action agreed on:

The provisions of sections 1, 2, 5, 7, 10, and 17 of the House amendment are incorporated without changes in the conference report.

Section 2 of the Senate bill and section 3 of the House amendment are the same, section 7 of the Senate bill and section 8 of the House amendment are the same, section 13 of the Senate

bill and section 15 of the House amendment are the same, section 14 of the Senate bill and section 16 of the House amendment are the same, section 17 of the Senate bill and section 19 of the House amendment are the same, and all these sections remain unchanged in the conference report.

Section 4 of the House amendment provided that demand for one-half part of wages earned should not be made oftener than once in five days. This provision is incorporated in section 4 of the conference report as follows:

*Provided*, Such a demand shall not be made before the expiration of nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract, and he shall be entitled to full payment of wages earned.

Section 6 of the House amendment as incorporated in section 6 of the conference report contains the following provision for a hospital compartment, to wit:

That in addition to the space allotment for lodgings hereinbefore provided, on all merchant vessels of the United States which in the ordinary course of their trade make voyages of more than 3 days' duration between ports, and which carry a crew of 12 or more seamen, there shall be constructed a compartment, suitably separated from other spaces, for hospital purposes, and such compartment shall have at least 1 bunk for every 12 seamen, constituting her crew, provided that not more than 6 bunks shall be required in any case.

Section 6 of the conference report also contains the following provision taken from section 5 of the Senate bill, to wit:

*Provided*, That forecables shall be fumigated at such intervals as may be provided by regulations to be issued by the Surgeon General of the Public Health Service, with the approval of the Department of Commerce, and shall have at least two exits, one of which may be used in emergencies.

These provisions are intended to add to the comfort, care, and safety of seamen.

The only change made in section 9 of the House amendment as incorporated in section 9 of the conference report is that making the vessel, as well as the master or owner of the vessel, liable in damages for flogging and all other forms of corporal punishment prohibited by the section.

Section 11 of the conference report is the same as section 11 of the House amendment, except that the following proviso at the end of subdivision (e) is stricken out:

*Provided*, That treaties in force between the United States and foreign nations do not conflict herewith.

Section 12 of the conference report is the same as section 12 of the House amendment, except that the words "employed on a vessel of the United States" are stricken out, making the exemptions therein provided for apply to seamen generally.

Section 13 of the House amendment is the same as section 13 of the conference report, with the following modifications: As amended, the section applies to vessels of over 100 tons gross and upward, except those navigating rivers exclusively and the small inland lakes, etc. The language exempting the smaller inland lakes only, "where the line of travel is at no point more than 3½ miles from land" is stricken out and the small inland lakes are exempt from its provisions along with rivers. The section is further modified to provide that seamen serving on decked fishing vessels, naval vessels, or coast-guard (revenue-cutter) vessels for the time prescribed shall be entitled to the rating of able seamen; also that graduates of school ships approved by the Secretary of Commerce may be rated able seamen after 12 months' service at sea; also cutting the requirement of 24 months' service on deck at sea, or on the Great Lakes, or on the smaller lakes, bays, or sounds, to 18 months to entitle a person to the rating of able seaman and qualify him to serve as such on the Great Lakes, smaller lakes, bays, and sounds.

Persons who have served 12 months on deck on the Great Lakes as well as at sea are included among those who may become entitled to the rating of able seamen if found competent under rules prescribed by the Secretary of Commerce as to eye-sight, hearing, physical condition, and knowledge of the duties of seamanship; and the number of seamen examined and rated able seamen under the proviso that may be shipped or employed upon any vessel at one time is increased from one-fourth to one-half.

It is further provided that the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of the section.

Said section 13 of the House amendment as amended and agreed to by the conferees and incorporated in section 13 of the conference report is as follows:

SEC. 13. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew,

exclusive of licensed officers and apprentices; are of a rating not less than able seaman. Every person shall be rated an able seaman, and qualified for service as such on the seas, who is 19 years of age or upward, and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or coast-guard vessels; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays, or sounds, who is 19 years of age or upward and has had at least 18 months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or coast-guard vessels; and graduates of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seaman after 12 months' service at sea: *Provided*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship, a person found competent may be rated as able seaman after having served on deck 12 months at sea, or on the Great Lakes; but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of the number of able seamen required by this section to be shipped or employed upon any vessel.

Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit and examination, under rules approved by the Secretary of Commerce, showing the nationality and age of the applicant and the vessel or vessels on which he has had service and that he is entitled to such certificate under the provisions of this section, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued, and shall keep on file the affidavits upon which said certificates are issued.

The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart: *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury and upon conviction thereof shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section by the owner, master, or officer in charge of the vessel shall subject the owner of such vessel to a penalty of not less than \$100 and not more than \$500: *And provided further*, That the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of this section, and nothing herein shall be held or construed to prevent the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, from making rules and regulations authorized by laws as to vessels excluded from the operation of this section.

Section 14 of the House amendment is agreed to by the conferees and incorporated in section 14 of the conference report, with certain amendments hereinafter referred to.

The following proviso is inserted at the end of the first paragraph of section 14, and before the word "Regulations," to wit:

*Provided*, That foreign vessels leaving ports of the United States shall comply with the rules herein prescribed as to life-saving appliances, their equipment, and the manning of same.

While section 4488 of the Revised Statutes, which is amended by section 14, seems to apply to foreign vessels as well as to vessels of the United States, the proviso was inserted by the conferees to make it clear that it shall so apply.

Under the title, "Arrangements for clearing pontoon lifeboats of water," bags of sand as well as a weight of iron may be used in making tests.

Under the title "Equipment of boats and pontoon rafts": "First, the normal equipment of every boat shall consist of," in subdivision (f) lifeboats on the Great Lakes or other inland waters are not required to be equipped with masts and sails and gear for same, and under "Third, in addition, every boat and every pontoon raft shall be equipped with," subdivisions (e) and (f), the lifeboats and life rafts on vessels navigating fresh waters are not required to be equipped with provisions and fresh water, as provided in the House amendment.

The House amendment provides that all passenger steam vessels of the United States, the keels of which are laid after the 1st of July, 1915, for service on ocean routes and on the Great Lakes, on routes more than 3 miles offshore, shall be built to carry and shall carry enough lifeboats and life rafts to accommodate all persons on board, including passengers and crew, not more than 25 per cent of such equipment to be in life rafts or collapsible lifeboats. The conferees modified this provision, as it affects the Great Lakes, to read:

That all passenger steam vessels of the United States, the keels of which are laid after the 1st of July, 1915, for service on ocean routes or for service from September 15 to May 15, on the Great Lakes, on routes more than 3 miles offshore, shall be built to carry, and shall carry, enough lifeboats and life rafts to accommodate all persons on board, including passengers and crew: *Provided*, That not more than 25 per cent of such equipment may be in pontoon life rafts or collapsible lifeboats.

The conferees regarded the provision in the House amendment harsh and impracticable to apply to passenger vessels on the Great Lakes navigating during the summer months.

Section 14 of the House amendment, under the title "Certificated lifeboat men—Manning of the boats," provides:

There shall be for each boat or raft a number of lifeboat men at least equal to that specified as follows: If the boat or raft carries less than 61 persons, the minimum number of certificated lifeboat men shall be 3.

As amended by the conferees said provision reads as follows:

There shall be for each boat or raft a number of lifeboat men at least equal to that specified, as follows: If the boat or raft carries 25 persons or less, the minimum number of certificated lifeboat men shall be 1; if the boat or raft carries 26 persons and less than 41 persons, the minimum number of certificated lifeboat men shall be 2; if the boat or raft carries 41 persons and less than 61 persons, the minimum number of certificated lifeboat men shall be 3, etc.

This amendment was made to meet conditions on the Great Lakes and the other inland waters. The lifeboats in use on the Great Lakes will accommodate from 16 to 25 persons, and the life rafts from 12 to 15 persons. The conferees did not regard it reasonable to require a lifeboat carrying 25 persons or less to be manned by a licensed officer or able seaman and three certificated lifeboat men; nor did the conferees regard it reasonable to require a life raft accommodating from 12 to 15 persons to be manned by a licensed officer or able seaman and three certificated lifeboat men; hence, they divided these boats and rafts carrying less than 61 persons into three groups and undertook to provide for the manning of each according to its size and the number of persons carried. The section provides that at no moment of its voyage may any passenger steam vessel of the United States on the Great Lakes, on routes more than 3 miles offshore, except over waters whose depth is not sufficient to submerge all the decks of the vessel, have on board a total number of persons, including passengers and crew, greater than that for whom accommodation is provided in the lifeboats and pontoon life rafts on board. The accommodation provided in lifeboats shall in every case be sufficient to accommodate at least 75 per cent of the persons on board. The number and types of such lifeboats and life rafts shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce: *Provided*, That during the interval from May 15 to September 15, inclusive, any such steamer shall be required to carry accommodation for not less than 50 per cent of persons on board in lifeboats and pontoon life rafts, of which accommodation not less than two-fifths shall be in lifeboats and three-fifths may be in collapsible boats or rafts, under regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce.

The effect of the amendment made by the conferees is if the boat or raft carries 25 persons or less, it shall be in charge of a licensed officer or able seaman and 1 certificated lifeboat man, provided that if the raft carries 15 persons or less, a licensed officer or able seaman need not be placed in charge of such raft; if the boat or raft carries 26 persons and less than 41 persons, it shall be manned by a licensed officer or able seaman and 2 certificated lifeboat men; if the boat or raft carries 41 persons and less than 61 persons, the same shall be manned by a licensed officer or able seaman and 3 certificated lifeboat men. The amendment of the conferees further provides that "one-half the number of rafts carried shall have a capacity of exceeding 15 persons."

Section 18 of the House amendment provides that the act shall take effect as to all vessels of the United States 6 months after its passage, and as to foreign vessels 12 months after its passage, except as otherwise provided. Section 18 of the conference report provides that the act shall take effect as to all vessels of the United States 8 months after its passage, and as to foreign vessels 12 months after its passage, except as otherwise provided.

Section 20 of the conference report is taken from the proviso at the end of section 7 of the Senate bill.

Except as herein mentioned, the House amendment is agreed to by the conferees.

JOSHUA W. ALEXANDER,  
RUFUS HARDY,  
M. E. BURKE,  
WILLIAM S. GREENE,  
C. F. CURRY,

Managers on the part of the House.

The SPEAKER. The gentleman from Missouri is recognized for 45 minutes.

Mr. HUMPHREY of Washington. Mr. Speaker, before the gentleman begins, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Washington makes the point of order that there is no quorum present. The Chair will count.

Mr. HUMPHREY of Washington. Mr. Speaker, I withdraw that point temporarily.

The SPEAKER. The gentleman from Washington withdraws the point of order of no quorum. The gentleman from Missouri is recognized.

Mr. ALEXANDER. Mr. Speaker, it is not my purpose to detain the House for more than 5 or possibly 10 minutes at this time.

There were five meetings of the conferees. We were in session from 8 o'clock until 11 or 12 o'clock each evening, and went through all the provisions of this bill with care, and finally came to a unanimous agreement. The conferees on the part of the House were myself, Mr. HARDY, Mr. BURKE of Wisconsin, Mr. GREENE of Massachusetts, and Mr. CURRY. On the part of the Senate they were Senators DUNCAN U. FLETCHER, GEORGE E. CHAMBERLAIN, JAMES K. VARDAMAN, KNUTE NELSON, and WILLIAM ALDEN SMITH. I need not say that the conference report in all of its provisions does not meet with the entire approval of all of the conferees, but we smoothed out our differences and agreed on the conference report as the best solution of many very important and difficult questions involved. A comparative print of the Senate bill, the House bill, and conference report has been made and is available for the use of the Members for comparison if they wish to utilize it.

In the statement just read by the Clerk the conferees on the part of the House have set out briefly the modifications made in the House bill. I might say that the House substitute or amendment for the Senate bill which was reported from the Committee on the Merchant Marine and Fisheries was accepted by the conferees as the basis of the conference report, and constitutes the conference report except as modified, as indicated in the statement of the managers on the part of the House, just read by the Clerk. It will be noted by reference to the statement that the provisions of sections 1, 2, 5, 7, 10, and 17 of the House amendment are incorporated without changes in the conference report.

Section 2 of the Senate bill and section 3 of the House amendment are the same, section 7 of the Senate bill and section 8 of the House amendment are the same, section 13 of the Senate bill and section 15 of the House amendment are the same, section 14 of the Senate bill and section 16 of the House amendment are the same, section 17 of the Senate bill and section 19 of the House amendment are the same, and all these sections remain unchanged in the conference report.

Section 4 of the House amendment provided that demand for one-half part of wages earned should not be made oftener than once in five days. This provision is incorporated in section 4 of the conference report, as follows:

*Provided*, Such a demand shall not be made before the expiration of nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract, and he shall be entitled to full payment of wages earned.

Section 6 of the House amendment as incorporated in section 6 of the conference report contains the following provision for a hospital compartment, to wit:

That in addition to the space allotment for lodgings hereinbefore provided, on all merchant vessels of the United States which in the ordinary course of their trade make voyages of more than 3 days' duration between ports, and which carry a crew of 12 or more seamen, there shall be constructed a compartment, suitably separated from other spaces, for hospital purposes, and such compartment shall have at least 1 bunk for every 12 seamen, constituting her crew, provided that not more than 6 bunks shall be required in any case.

Section 6 of the conference report also contains the following provision taken from section 5 of the Senate bill, to wit:

*Provided*, That forecabin shall be fumigated at such intervals as may be provided by regulations to be issued by the Surgeon General of the Public Health Service, with the approval of the Department of Commerce, and shall have at least two exits, one of which may be used in emergencies.

These provisions are intended to add to the comfort, care, and safety of seamen.

The only change made in section 9 of the House amendment as incorporated in section 9 of the conference report is that making the vessel, as well as the master or owner of the vessel, liable in damages for flogging and all other forms of corporal punishment prohibited by the section.

Section 11 of the conference report is the same as section 11 of the House amendment, except that the following proviso at the end of subdivision (e) is stricken out:

*Provided*, That treaties in force between the United States and foreign nations do not conflict herewith.

Section 12 of the conference report is the same as section 12 of the House amendment, except that the words "employed on

a vessel of the United States" are stricken out, making the exemptions therein provided for apply to seamen generally.

Section 13 of the House amendment is the same as section 13 of the conference report, with the following modifications: As amended, the section applies to vessels of over 100 tons gross and upward, except those navigating rivers exclusively and the small inland lakes, etc. The language exempting the smaller inland lakes only, "where the line of travel is at no point more than 3½ miles from land" is stricken out, and the small inland lakes are exempt from its provisions along with rivers. The section is further modified to provide that seamen serving on decked fishing vessels, naval vessels, or Coast Guard (revenue-cutter) vessels for the time prescribed shall be entitled to the rating of able seamen; also that graduates of school ships approved by the Secretary of Commerce may be rated able seamen after 12 months' service at sea; also cutting the requirement of 24 months' service on deck at sea, or on the Great Lakes, or on the smaller lakes, bays, or sounds, to 18 months to entitle a person to the rating of able seaman and qualify him to serve as such on the Great Lakes, smaller lakes, bays, and sounds.

Persons who have served 12 months on deck on the Great Lakes as well as at sea are included among those who may become entitled to the rating of able seamen if found competent under rules prescribed by the Secretary of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship; and the number of seamen examined and rated able seamen under the proviso that may be shipped or employed upon any vessel at one time is increased from one-fourth to one-half.

It is further provided that the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of the section.

Section 14 of the House amendment is agreed to by the conferees and incorporated in section 14 of the conference report, with certain amendments hereinafter referred to.

The following proviso is inserted at the end of the first paragraph of section 14, and before the word "Regulations," to wit:

*Provided*, That foreign vessels leaving ports of the United States shall comply with the rules herein prescribed as to life-saving appliances, their equipment, and the manning of same.

While section 4488 of the Revised Statutes, which is amended by section 14, seems to apply to foreign vessels as well as to vessels of the United States, the proviso was inserted by the conferees to make it clear that it shall so apply.

Under the title, "Arrangements for clearing pontoon lifeboats of water," bags of sand as well as a weight of iron may be used in making tests.

Lifeboats on the Great Lakes or other inland waters are not required to be equipped with masts and sails and gear for same, and lifeboats and life rafts on vessels navigating fresh waters are not required to be equipped with provisions and fresh water, as provided in the House amendment.

The House amendment provides that all passenger steam vessels of the United States, the keels of which are laid after the 1st of July, 1915, for service on ocean routes and on the Great Lakes, on routes more than 3 miles offshore, shall be built to carry and shall carry enough lifeboats and life rafts to accommodate all persons on board, including passengers and crew, not more than 25 per cent of such equipment to be in life rafts or collapsible lifeboats. The conferees modified this provision, as it affects the Great Lakes, to read:

That all passenger steam vessels of the United States, the keels of which are laid after the 1st of July, 1915, for service on ocean routes or for service from September 15 to May 15 on the Great Lakes, on routes more than 3 miles offshore, shall be built to carry, and shall carry, enough lifeboats and life rafts to accommodate all persons on board, including passengers and crew: *Provided*, That not more than 25 per cent of such equipment may be in pontoon life rafts or collapsible lifeboats.

The conferees regarded the provision in the House amendment harsh and impracticable to apply to passenger vessels on the Great Lakes navigating during the summer months.

Section 14 of the House amendment, under the title "Certificated lifeboat men—Manning of the boats," provides:

There shall be for each boat or raft a number of lifeboat men at least equal to that specified as follows: If the boat or raft carries less than 61 persons, the minimum number of certificated lifeboat men shall be three.

As amended by the conferees said provision reads as follows:

There shall be for each boat or raft a number of lifeboat men at least equal to that specified, as follows: If the boat or raft carries 25 persons or less, the minimum number of certificated lifeboat men shall be one; if the boat or raft carries 26 persons and less than 41 persons, the minimum number of certificated lifeboat men shall be two; if the boat or raft carries 41 persons and less than 61 persons, the minimum number of certificated lifeboat men shall be three—

And so forth.

This amendment was made to meet conditions on the Great Lakes and the other inland waters. The lifeboats in use on the Great Lakes will accommodate from 16 to 25 persons, and the life rafts from 12 to 15 persons. The conferees did not regard it reasonable to require a lifeboat carrying 25 persons or less to be manned by a licensed officer or able seaman and three certificated lifeboat men, nor did the conferees regard it reasonable to require a life raft accommodating from 12 to 15 persons to be manned by a licensed officer or able seaman and three certificated lifeboat men; hence, they divided these boats and rafts carrying less than 61 persons into three groups and undertook to provide for the manning of each according to its size and the number of persons carried. The section provides that at no moment of its voyage may any passenger steam vessel of the United States on the Great Lakes, on routes more than 3 miles offshore, except over waters whose depth is not sufficient to submerge all the decks of the vessel, have on board a total number of persons, including passengers and crew, greater than that for whom accommodation is provided in the lifeboats and pontoon life rafts on board. The accommodation provided in lifeboats shall in every case be sufficient to accommodate at least 75 per cent of the persons on board. The number and types of such lifeboats and life rafts shall be determined by regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce: *Provided*, That during the interval from May 15 to September 15, inclusive, any such steamer shall be required to carry accommodation for not less than 50 per cent of persons on board in lifeboats and pontoon life rafts, of which accommodation not less than two-fifths shall be in lifeboats and three-fifths may be in collapsible boats or rafts, under regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce.

The effect of the amendment made by the conferees is if the boat or raft carries 25 persons or less it shall be in charge of a licensed officer or able seaman and one certificated lifeboat man, provided that if the raft carries 15 persons or less a licensed officer or able seaman need not be placed in charge of such raft; if the boat or raft carries 26 persons and less than 41 persons, it shall be manned by a licensed officer or able seaman and two certificated lifeboat men; if the boat or raft carries 41 persons and less than 61 persons, the same shall be manned by a licensed officer or able seaman and three certificated lifeboat men. The amendment of the conferees further provides that "one-half the number of rafts carried shall have a capacity of exceeding 15 persons."

Section 18 of the House amendment provides that the act shall take effect as to all vessels of the United States 6 months after its passage, and as to foreign vessels 12 months after its passage, except as otherwise provided. Section 18 of the conference report provides that the act shall take effect as to all vessels of the United States 8 months after its passage, and as to foreign vessels 12 months after its passage, except as otherwise provided.

Section 20 of the conference report is taken from the proviso at the end of section 7 of the Senate bill.

Except as mentioned, the House amendment is agreed to by the conferees.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. ALEXANDER. Yes.

Mr. MADDEN. In what respect does the conference report differ from the House substitute or amendment with respect to lake navigation; that is, in reference to life-saving apparatus and able seamen?

Mr. ALEXANDER. The bill as it passed the House provided that passenger vessels on the Great Lakes should carry enough lifeboats and life rafts to accommodate 50 per cent of the persons on board, two-fifths of the equipment to be in lifeboats and three-fifths in life rafts. Those are the minimum requirements. Of course the Steamboat-Inspection Service might increase the equipment, but those are the minimum requirements. As the bill passed the House it provided that the lifeboats and life rafts should be manned by a licensed officer or able seaman and three certificated lifeboat men. The owners of passenger vessels on the Great Lakes, with reason, objected to the latter provision. The conferees did not change the provisions of the House substitute or amendment with reference to the number of lifeboats and life rafts that may be carried, but did modify the provisions with reference to the manning of lifeboats and life rafts. The committee in writing the bill and applying its provisions to the Great Lakes overlooked the provisions in section 14 that all lifeboats carrying 61 persons or less should be manned by a licensed officer or able seaman and three certificated lifeboat men.

Mr. MADDEN. What is the provision now?

Mr. ALEXANDER. On the Great Lakes the life rafts now in use carry from 12 to 15 people and the lifeboats 16 to 25. None of them have a capacity for more than 25, hence if you applied the rule as it was written in the bill when it passed the House to these smaller boats and rafts it would mean that they must have a licensed officer or able seaman and three certificated boatmen in charge of each lifeboat and life raft with a capacity not to exceed 25 persons. Of course there is no necessity for any such manning scale for that size boat or raft. The conferees did not regard it reasonable for a life raft carrying from 12 to 15 people or a lifeboat carrying 25 people or less to be manned by an officer or able seaman and three certificated lifeboat men. Hence we divided them into classes; that is to say, the lifeboats carrying 25 persons or less shall be in charge of a licensed officer or able seaman and a certificated lifeboat man.

Mr. MANN. That is, one certificated lifeboat man.

Mr. ALEXANDER. Yes; one certificated lifeboat man. If it carries 26 to 41 persons, they shall be in charge of a licensed officer or able seaman and two certificated lifeboat men. If they have a capacity of between 41 and 61, they shall be in charge of a licensed officer or able seaman and three certificated lifeboat men. Those are the modifications that have been made.

Mr. MADDEN. That applies to lifeboats and not rafts.

Mr. ALEXANDER. It applies to the rafts.

Mr. MADDEN. And boats?

Mr. ALEXANDER. And boats, too, except if the life raft carries 15 persons or less it may be in charge of a certificated lifeboat man.

Mr. MADDEN. Just one?

Mr. ALEXANDER. Just one. We did not regard there was necessity for any more. I will say this: This bill in its provisions as they apply to the ocean service are just as they were written in the House substitute for the Senate bill. The Senate bill provided for lifeboats for all on ocean-going vessels, and not less than two able seamen for each lifeboat, and the House bill provides lifeboats for all on ocean-going vessels except in certain circumstances. Twenty-five per cent of their equipment may be in life rafts, but that provision would only apply to very few ocean-going vessels. Section 14 of the House substitute carries out the provisions of the London Convention on Safety of Life at Sea, and embodies the provisions of that convention as regards lifeboats and life rafts and manning of same in that section, and provides that the manning of the boats and rafts shall be as prescribed in the London convention, except we provide that boats and rafts shall be in charge of a licensed officer or able seaman instead of licensed officer or seaman, and the minimum number of certificated lifeboat men is three, and from three up, depending upon the size of the boat or rafts. In other words, we provide, as does the London convention, for a class of men to man the lifeboats, in addition to the licensed officer or able seamen, known as certificated lifeboat men. In order to obtain the special lifeboat man's certificate, the applicant must prove that he has been trained in all the operations connected with the launching of lifeboats and the use of oars; that he is acquainted with the practical handling of the boats themselves, and further, that he is capable of understanding and answering the orders relative to lifeboat service.

Mr. MADDEN. So that at sea there must be not less than three certificated lifeboat men and an able seaman or officer in charge of the lifeboat and more, according to the size of the boat?

Mr. ALEXANDER. Yes.

Mr. MADDEN. While on the Lakes there shall be not to exceed three certificated lifeboat men, one able seaman or officer, and down to the minimum of one able seaman?

Mr. ALEXANDER. One certificated lifeboat man on a life raft carrying not more than 15.

Mr. GOULDEN. Will the gentleman yield?

Mr. ALEXANDER. I will yield.

Mr. GOULDEN. I want to say that you have covered one of the questions I desired to ask in regard to lifeboats. Having been a member of the Merchant Marine and Fisheries Committee for eight years, during which time we had this under discussion many times, I am deeply interested. The question I wish to ask the gentleman is: What are the regulations for the health and comfort of the sailors as to air space, berths, and so forth?

Mr. ALEXANDER. We have increased the crew space on vessels newly constructed from 72 feet to 120 feet.

Mr. GOULDEN. Cubic feet?

Mr. ALEXANDER. Cubic feet. And the provisions for their comfort are very ample. For instance, we provide for a hos-

pital ward for seamen on all merchant vessels of the United States which in the ordinary course of their trade make voyages of more than three days' duration between ports.

Mr. GOULDEN. Which is very necessary, indeed.

Mr. ALEXANDER. And we provide a better food scale. We also forbid advancements and allotments except to members of their families. And all the provisions, as they affect the welfare of the seamen, in the Senate bill and in the House substitute are incorporated in the conference report, and the comfort and welfare of the seamen are generously provided for.

Mr. GOULDEN. How far do these regulations that we are proposing now to adopt apply under the London convention and regulations of other nations in the merchant-vessel service of different countries?

Mr. ALEXANDER. The provisions of this bill apply to our own vessels and vessels of foreign nations leaving our ports.

Mr. GOULDEN. But to none others?

Mr. ALEXANDER. That is about all there would be.

Mr. GOULDEN. I thought perhaps the London conference had agreed substantially along the line this bill proposes to cover. I had hoped so, at least.

Mr. ALEXANDER. The London convention does not cover the manning of vessels.

Mr. LEVY. I understand that this bill provides the manner in which foreign seamen shall be discharged when they arrive in American ports.

Mr. ALEXANDER. We make the same law apply to seamen in our ports, whether they are foreign or domestic seamen.

Mr. LEVY. Will not that be in defiance of all the treaties that we have with foreign countries?

Mr. ALEXANDER. We provide for abrogation of all the treaties in conflict with the provisions of the bill.

Mr. LEVY. Does not the gentleman think that this is a serious time to provide for abrogation of treaties?

Mr. ALEXANDER. We have always claimed the right to inspect foreign vessels entering our ports, but our navigation laws provide that where the inspection laws of foreign countries are substantially the same as our own we will, under certain conditions, waive inspection of their vessels. We do not inspect their vessels now if they meet certain requirements of our navigation laws, but the London convention, so far as the lifeboat equipment and the manning of lifeboats are concerned, is written into this bill, in section 14. The convention has been ratified by the United States Senate, and, as I understand, has been ratified by the principal maritime nations, and they obligate themselves to conform to those requirements.

Mr. Speaker, I do not care to consume any more of my time now.

Mr. MOORE. Will my colleague yield for two questions?

Mr. ALEXANDER. Yes.

Mr. MOORE. Is your time up?

Mr. ALEXANDER. I will take another minute or two to answer your questions.

Mr. MOORE. The statement on page 27 seems to indicate that the provision which would respect the treaties of foreign Governments in the matter of seamen has been taken out of the bill. Is that correct?

Mr. ALEXANDER. We provide for the abrogation of all treaties in conflict with the provisions of the bill.

Mr. MOORE. You do provide for their abrogation?

Mr. ALEXANDER. Yes.

Mr. MOORE. Then we are to disregard the treaties or give notice of their dissolution?

Mr. ALEXANDER. Abrogation; whenever they conflict with the terms of the bill.

Mr. MOORE. One other question as to the manner in which men may become able-bodied seamen. They must serve three years. Is there any system of apprenticeship provided for in this bill?

Mr. ALEXANDER. Yes. We provide that any seaman, after one year's service at sea, upon passing an examination as to eyesight, hearing, and knowledge of the duties of seamanship, may be rated an able seaman.

Mr. MOORE. How does he get on the ship under the law to qualify after one year?

Mr. ALEXANDER. He can receive a certificate as such. The Department of Commerce has the power under the provisions of the bill to provide rules and regulations.

Mr. MOORE. Before he has qualified as an A. B. he must have had three years' service?

Mr. ALEXANDER. Certainly; except as I have already explained.

Mr. FESS. Will the gentleman yield?

Mr. ALEXANDER. Just for a moment.

Mr. FESS. There is some fear expressed in a resolution of the Ohio Legislature that this legislation will be very hurtful to shipping on the Great Lakes. What, in your opinion, would be the effect on the Great Lakes of the legislation as now proposed by this conference report?

Mr. ALEXANDER. I think one effect will be this, that during the excursion season, when lake excursion boats carry such large numbers of people, it will curb that disposition somewhat, and I think in the interest of safety of life that should be done. If they insist upon carrying such great numbers of people, they will be compelled to equip themselves proportionately. Now, of course, the lake people stoutly objected to the Senate bill, known as the La Follette bill, and they objected to some of the provisions of the House substitute. They would rather not have any regulation at all, except under the Steamboat-Inspection Service; but the provisions of the House substitute or amendment, as modified by the conference report, I think, meet the views of every reasonable operator of passenger steamers on the Great Lakes.

Mr. FESS. That it would not interfere with legitimate traffic on the Lakes?

Mr. ALEXANDER. It would not. I would regret very much to have it do so.

Mr. SWITZER. Mr. Speaker—

Mr. ALEXANDER. I have not any more time now.

Mr. SWITZER. I should like to know how it affects the Ohio River.

Mr. ALEXANDER. It does not affect the Ohio River at all.

Mr. Speaker, I reserve the balance of my time.

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Speaker, a few moments ago I made a point of no quorum, but some gentlemen thought that it might inconvenience some Members, and so I withdrew it. The reason why I made that point of no quorum was this, that I do not believe that very many Members of this House outside of those on the committee understand the provisions of this bill, and I think that if they did we would not have passed it. I made the statement on the floor of the House the other day—and I was simply quoting newspaper statements, and perhaps I was not correct; I do not know—but according to the statements that came to me, the President of the United States does not believe that this is an opportune time to pass this bill.

Now, all of the Members of this House on each side of this aisle have applauded the President for every step that he has taken to preserve the peace and the neutrality of this country. We all want to do everything that we can to uphold his hands in that respect. But if I understand the provisions of this bill, we are now passing legislation that is going to lead us directly into danger, and I can not see the emergency that would justify us at this particular inopportune time, when the whole world is ablaze, in passing a bill that violates every treaty we have with every commercial nation of the world, and is likely to lead us into friction with all the shipping countries that send their vessels to our ports.

And what is the emergency? They tell you that the emergency for the passage of this bill is to keep the American seamen from being imprisoned. Everybody is in favor of that proposition. But what is the emergency that it should be done just now in violation of our treaties, without giving notice to the foreign countries? It is not in behalf of the American sailor. We have no American sailors to free. That is simply a fiction. That is imagination only that has been appealed to in order to get this bill passed through the House. We have not to-day 500 American sailors upon the Pacific Ocean. We have very few anywhere.

Now, I want to call the attention of this House to the provisions of the bill, and I am going to leave out all discussions in regard to its effect on our domestic trade. I believe it is a much better bill than that which came over from the Senate. I think it is a better bill than the one we passed through the House once before, but its provisions in regard to the foreign vessels are the same. I do not believe the Members of the House know the conditions that we prescribe on every vessel, foreign as well as our own, that comes into American ports. Now, let me read some of the provisions. I read:

That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order, or note, or other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100, and may also be imprisoned for a period

of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case, except as herein provided, absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more than \$500.

Then it goes on and prescribes various other conditions in relation not only to our vessels but to any foreign vessel that comes into this country. Now, suppose a German vessel should come to our shores. Perhaps that is rather a violent presumption just at this time, in the situation we are in; but the war is not going to last always. Suppose a Japanese vessel comes into one of our ports—and they are coming in every day—and upon that vessel is a seaman who has been paid some of his wages in advance—a Japanese sailor, or perhaps it may be a Chinese sailor, paid in accordance with the laws both of China and Japan. He comes into one of our ports. Some irresponsible person files an affidavit, as provided under this bill, to the effect that there has been a payment made to that man in advance, although it was perfectly lawful in his own country, and, in fact, in the two countries, in the illustration I have made; yet immediately upon the filing of that affidavit they arrest the captain of this vessel and fine him or imprison him.

Is any self-respecting nation going to submit to any such performance as that?

That is clearly what might happen under the terms of this bill. I think if I would ask my distinguished friend, Judge ALEXANDER—although perhaps I ought not to say so—he would tell you that if that performance were gone through with perhaps the Attorney General of the United States would hold that we had no authority to make any such provision. But if that is so, why should we go through the idle performance of irritating some foreign country? What is the purpose of all this? Are we simply legislating to deceive somebody or to obtain the good will of some one?

But that is only one of the many pernicious provisions in regard to foreign ships. Let me read you some more of them. I read:

Sec. 13. That no vessel of 100 tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless 40 per cent in the first year, 45 per cent in the second year, 50 per cent in the third year, 55 per cent in the fourth year after the passage of this act, and thereafter 65 per cent of her deck crew, exclusive of licensed officers and apprentices, are of a rating not less than able seaman. Every person shall be rated an able seaman, and qualified for service as such on the seas, who is 19 years of age or upward and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or Coast Guard vessels; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays, or sounds, who is 19 years of age or upward and has had at least 18 months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or Coast Guard vessels; and graduates of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seamen after 12 months' service at sea: *Provided*, That upon examination, under rules prescribed by the Department of Commerce, as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce, as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship a person found competent may be rated as able seaman after having served on deck 12 months at sea or on the Great Lakes; but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of the number of able seamen required by this section to be shipped or employed upon any vessel.

Now, if they were prescribing that for some of our own ships, that would be our own business. I am not saying now but what that is a regulation that ought to be adopted for our own vessels. But what is "an able seaman"? They go on and tell you that "an able seaman" is a man that has had 18 months' service at sea. You have changed it, have you not? I make this inquiry of the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER. Three years' service on the ocean or 18 months on the Great Lakes.

Mr. HUMPHREY of Washington. Yes; 3 years' service on the ocean, or 18 months' service on the Great Lakes.

Mr. ALEXANDER. After 12 months' service at sea or on the Great Lakes if he stands the examination provided for.

Mr. HUMPHREY of Washington. Yes. And he must be 19 years of age. Whatever the precise qualifications are, it does not matter. But it is not the qualifications prescribed that I have objected to. What I want to call your attention to is the

fact that it says "no vessels," clearly including foreign as well as American. Now, for fear that they might in the courts construe the words "no vessels" as not including foreign vessels, although it is as broad as you can make it, in section 14 there is this proviso:

*Provided*, That foreign vessels leaving ports of the United States shall comply with the rules herein prescribed as to life-saving appliances, their equipment, and the manning of same.

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. HUMPHREY of Washington. Yes.

Mr. ALEXANDER. I call the gentleman's attention to the fact that section 14 applies those provisions of international convention on safety of life at sea to which the principal maritime nations have given their assent, and it meets their views.

Mr. HUMPHREY of Washington. That part of it is perhaps true. But I want to ask the gentleman if it was not the intention and the understanding of the conferees that these provisions of section 13 should apply to foreign ships?

Mr. ALEXANDER. We amend section 4488 of the Revised Statutes, which applies to all vessels, whether domestic or foreign; and I thought, without that clause written in expressly so stating, the section would apply both to domestic and foreign vessels. But some members of the conference were so insistent that the provisions of section 14 should apply to foreign as well as United States vessels that I consented that that provision might be inserted, which would make it doubly certain.

Mr. HUMPHREY of Washington. So that it is absolutely sure, so far as the intention is concerned, that these provisions shall apply to foreign ships?

Mr. ALEXANDER. The provisions of section 14?

Mr. HUMPHREY of Washington. The provisions of section 13.

Mr. ALEXANDER. There is nothing to indicate that it shall apply to foreign ships, except that it says any vessel of more than 100 tons gross departing from a port of the United States shall be manned in a certain way.

Mr. HUMPHREY of Washington. I want to state further to the chairman of the committee, I think in all fairness to this House we ought to know whether it is intended that the provisions of section 13 shall apply to foreign vessels; because I have been a member of the Committee on the Merchant Marine and Fisheries for 10 years before this Congress, and a similar bill was before that committee during all the time I have been a member of it. I know that it is the very foundation of this bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. I yield to the gentleman from Washington 10 minutes.

Mr. HUMPHREY of Washington. I know that it has always been the one great motive back of this bill to make it apply to foreign ships. I know that is what the president of the Seamen's Union is contending for, and I know that it would not receive sanction from that source for five minutes if it was not intended to apply to foreign ships. The gentleman ought to be fair with the House and with the country. You either intend this to apply to foreign ships or you do not. Now, I should like to know if it is understood, and if the gentleman will accept an amendment providing that this shall apply only to American ships? If so, then it will remove many of the objections to this bill, because it will prevent the violation of these foreign treaties. It will avoid the complications that are likely to arise. Much of my opposition, so far as that portion of this bill is concerned, is based upon that fact; and I should like to know whether it is the understanding of those advocating the bill that section 13 applies to foreign ships. I think the time has come when we ought to know. You have no right to keep this information from the House or the country. I will yield to the gentleman [Mr. ALEXANDER] to state whether it is the intention to apply this to foreign ships or not, as he understands it.

Mr. ALEXANDER. I do not know of anybody objecting to that provision except the gentleman from Washington. The conference report can not be amended. That is very clear. It was intended to apply indiscriminately to domestic and foreign vessels departing from our ports. That is the theory upon which the bill was drawn. It was in that form when it passed the House in the last Congress and the Senate and was pocketed by President Taft.

Mr. HUMPHREY of Washington. I thank the gentleman. So we agree. I have always contended that it was intended to apply to foreign ships. So now, having settled that point, I want to point out—

Mr. EDMONDS. Will the gentleman yield?

Mr. HUMPHREY of Washington. I yield to the gentleman from Pennsylvania.

Mr. EDMONDS. I want to call the attention of the gentleman to section 16, which says:

Any other treaty provision in conflict with the provisions of this act ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within 90 days after the passage of this act, to give notice to the several Governments, respectively, that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

Mr. HUMPHREY of Washington. Yes; and section 18 provides that it shall take effect as to all vessels of the United States 8 months after its passage and as to foreign vessels after 12 months, and then it provides further in the bill that the President shall give notice to foreign countries, and so forth.

As a matter of fact, it violates some treaty with almost every nation in the world. There is no question about that. No one disputes it. We will have to set aside many treaties that we have with these foreign countries.

But now let me call attention to a situation—

Mr. ALEXANDER. I will say that we have no treaty with a foreign nation relating to the manning of vessels.

Mr. HUMPHREY of Washington. That may be true in particular respects, but I think it is a violation of many of our treaties to impose the conditions which we are going to impose in this bill upon foreign ships.

I take conditions on my own coast, because I am more familiar with them; but exactly the same conditions would apply at all ports. I want to give you a specific illustration of what is going to occur under this bill. Then I shall have done my duty. I think if we pass this bill we are going to have difficult situations to face. I think it will lead us possibly into war. But after having made my statement, which I have made repeatedly on the floor of the House, I am not going to refer to this matter further. I have heretofore had to point out to the Members of this House that for the sake of doing an imaginary right to somebody who does not suffer, at this time when almost the whole world is engaged in war, we are going to enact legislation that will bring us trouble. The question I want you to consider is whether or not you are willing to do it. This bill is no more to me personally than it is to any other Member of this House. I never directly or indirectly had a penny's worth of interest in any ship or in shipping, domestic or foreign.

But to illustrate the working of this bill, a Japanese vessel comes into the city of Seattle, one of those great transoceanic liners with a crew of from 600 to 800 men. That vessel comes in to our wharf and is taking on a cargo. She is loaded and ready to put to sea. Any person, it makes no difference how irresponsible he may be, can file an affidavit under the terms of this bill, saying that the men upon that vessel do not understand the language of their officers, saying that some of them have been paid in advance, saying that some of them are under 19 years of age, saying that some of them have not had the required experience to make them able seamen, and immediately the collector of customs must cause a muster of that crew and not permit the vessel to sail. Now, how long is it going to take to muster that crew? It will take from 6, 10, and probably 24 hours to do it, and after it is done and over with, under the provisions of this bill another affidavit can at once be filed that some other of the numerous provisions have been violated. The dangers of this provision can not well be overestimated.

I want to ask this House if it thinks that any of the great nations are going to submit to such a humiliation? What is the justification for such action? Why should we tell Japan how old her sailors should be; why should we tell her how she shall pay her sailors? It does not affect our safety; it does not have anything to do with international relations or domestic affairs that will justify us in taking such action.

Further, they provide that if sailors desert they can not be taken back on board. I would like to see that provision in force if it can be done by international agreement, but we are the only one that takes that step. If negotiations were entered into, the other nations might join us.

The president of the sailors' union told me that if the bill went into effect Japanese seamen would desert, and that was one of the reasons why he wanted the bill.

If this crew of 600 or 800 men desert at Tacoma or Seattle, that vessel is not permitted to sail until they have a crew that understands the language of the officers, and that would be a Japanese crew. Where are you going to get that crew? It could not be gotten on the Pacific coast without great delay and cost. But this vessel from a friendly nation is not permitted to depart from our ports until they have conformed to our laws in these

matters relating entirely to their own sailors. If it was a matter in regard to the use of the port or any way affecting our trade or commerce, it would be a different proposition.

Mr. GORDON. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. GORDON. Would not those Japanese leaving their vessel, deserting, conflict with our exclusion law in our own port?

Mr. HUMPHREY of Washington. It would if they were Chinese. I do not know whether it would if they were Japanese or not, but it would violate our immigration laws. The point to which the gentleman from Ohio calls attention is a very important one that the Immigration Committee ought to take notice of. This bill leaves the gate wide open, and you can bring in an unlimited number of men if it goes upon the statute under the guise of sailors that come here and desert.

Mr. JOHNSON of Washington. What law is there that would keep Japanese out?

Mr. HUMPHREY of Washington. Nothing, except the general immigration laws.

Mr. LEVY. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. LEVY. The gentleman is familiar with the coastwise traffic on the Pacific coast. I would like to ask him how this law would affect the Pacific coast traffic, and if he does not consider it a very onerous burden on the coastwise ships.

Mr. HUMPHREY of Washington. As far as the coastwise trade on the Pacific coast is concerned it will not affect it materially. As far as the over-sea trade is concerned it will destroy it.

Mr. FESS. Will the gentleman from Washington yield?

Mr. HUMPHREY of Washington. Yes.

Mr. FESS. In legislative matters conflicting with treaties, what has been our custom? Is it to get an agreement for a change of the treaty, or is it first to pass a law and then abrogate the treaty?

Mr. HUMPHREY of Washington. I can not say what our custom has been, because I have not looked it up; but I can say that reasonable courtesy would suggest that we get an international agreement first, or, at least, attempt to get one. What is the necessity of our passing this law now, without giving time to other nations of the world to join with us if they so desire?

The SPEAKER pro tempore (Mr. CRISP). The time of the gentleman has again expired.

Mr. GREENE of Massachusetts. I yield five minutes more to the gentleman from Washington.

Mr. FESS. Will the gentleman again yield?

Mr. HUMPHREY of Washington. Yes.

Mr. FESS. Has the gentleman made up his mind that this is a violation of the treaty?

Mr. HUMPHREY of Washington. I have no doubt about it, and there can be no question about it. I have talked with no one who has studied the bill that does not agree that this is in violation of many of our commercial treaties.

Now, Mr. Speaker, I did not intend to discuss this matter locally, but since the gentleman from New York [Mr. LEVY] asked how it will affect the Pacific coast, I will say that if a Japanese vessel comes into our port they at least have the possibility of the desertion of their crew. They at least have the possibility of some one attempting to enforce this law. They are at least subject to the chance of some one harassing them.

Over at Vancouver, just across the line, they have every advantage that they have at Seattle, and I am unable to understand why any foreign ship should come to Seattle, where it is possible to harass them under this hostile legislation, where we hold out an invitation to the crew to desert, where we place it in the power of any irresponsible citizen to annoy them, to call a muster of their crew, why a vessel should come down there instead of going to Vancouver. I have not a particle of doubt that if this law goes on the statute books it will largely destroy Seattle as a great shipping port and transfer much of our business to Vancouver, British Columbia. It is bound to do that.

I want to say in conclusion that I have confidence that the President of the United States will have patriotism enough, if we do not, not to permit this law to go on the statute books at this time. I believe when the President looks at the bill and discovers that it is in violation of the various treaties we have with other countries, and when he looks at the conditions as they are to-day, believing that its enactment may lead to friction, that he will not approve it.

I thank the House for the time I have taken. I hope I shall never be called upon to talk on the seamen's bill again.

Mr. ALEXANDER. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Speaker, the gentleman from Washington [Mr. HUMPHREY] is certainly one of the radical opponents of most any legislation proposed to amend our navigation laws by way of reforming them. He says that if the Members of this House understood this bill they would not pass it. That is a very poor compliment to the members of the conference committee, who spent five nights in conference, after weeks and months, and some of them years, in study of the bill, who, when they got together in conference, every single, solitary member signed this report. It is a unanimous report.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman yield?

Mr. HARDY. No; I have only 10 minutes.

Mr. HUMPHREY of Washington. But the gentleman misquotes me there.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. HARDY. I can not yield. Now, the whole committee signed this report of this bill, after mutually yielding and conceding, so that probably it is not exactly what any one of them would have written. The gentleman says that there is no emergency for this bill. We are not presenting this bill as an emergency bill, but as a long-needed reform. Let me call the attention of Members of the House to the fact that for years the fight has been going on before the Merchant Marine and Fisheries Committee and the appropriate committee in the Senate to secure the reforms provided in this bill. At the last session, toward the close of Congress, this bill virtually was passed, and suffered a pocket veto, because the President either did not approve it or have time to examine it. Years before that this bill, or nearly its equivalent, was before the same committee, but the gentleman from Washington [Mr. HUMPHREY] was on the committee and fought it hard, and so now, after years of labor on it, it nears a triumphant passage. Emergency! Why, for 20 years the friends of seamen have been fighting to strike the shackles off the wrists of the seamen, and so abolish the last relic of slavery that exists in any enlightened country; and this bill does that.

The gentleman from Washington says he does not oppose the abolition of involuntary servitude provided in this bill, and yet concludes his argument with the statement that that provision will cause Seattle to lose its commerce to Vancouver, because he says ships will go to Vancouver, where seamen are not free men, in preference to Seattle, where they are free men. I predict that when we have passed this bill there will not be an enlightened nation on the earth that will not follow our example and strike the shackles from the wrists and ankles of the seamen of their country. [Applause.] The gentleman says when we get this bill we are going into danger, and the President is not going to approve it, because we would get in danger. Why? Because we strike the shackles from the wrists of our seamen? He overestimates the power of his sophistry with the President, for you know and I know that no enlightened nation is going to make such a proposition a bone of contention or a ground of quarrel with the United States, nor will any Government quarrel with us for imposing in our ports the same rules on their vessels which we apply to our own. What nation would complain, and if it did complain could further complain when we say, "Mr. Britisher, Mr. Frenchman, the rules we apply to your vessel we apply to our own"? But this matter has been gone into, as to whether foreign ships might be made subject to our rules, and in the bark *Endora* case, a case in reference to our allotment law, which was made applicable to foreign ships as well as our own, our court said that on English or foreign vessels the law of the country to which the vessel belonged applied to rules governing the vessel, and so forth, by courtesy of nations, but if a nation saw proper to assert its own authority within its own jurisdiction, the implied consent to the rule of the law of other nations was withdrawn, and our laws would apply. That was the decision of the Supreme Court of the United States. Make these rules which we apply to our vessels apply to foreign vessels? Of course that is the purpose of this bill. Why? For this reason. We are struggling to build up an American merchant marine. If you do not have rules that restrict competitors of the American merchant marine, to the full extent and just as you restrict the American merchant marine, you never can have an American merchant marine. The real milk in the coconut seems to be this.

Gentlemen like my friend from Washington do not want any American merchant marine unless they can get it by the pathway of subsidy, and they would like to talk in the future as they have in the past about the restrictions on our merchant marine being such that they prevent us from competing with other merchant marines that are not governed by those restric-

tions. For instance, they would say an American shipowner must pay half of the wages due to his seaman at any port he enters, but that that is not so with the British shipowner navigating our waters. They further would say we have passed a law that strikes the shackles from the seamen in our port, but we have left the law so that the foreign shipowner can manacle his seaman through his hunger and thirst and want. Also that we require our ships to be efficiently manned, but permit foreign ships to do as they please. What about it? A seaman comes from Naples here on a low wage. When he gets into the port of New York, he is dissatisfied. He has been out a month, the ship is safe in port, and some wages are due him. The shipmaster, fearing that perhaps he will not return, will not give him a dollar. He can not go out in New York and pay for a night's lodging or for a meal. Had you not just as well have the law say, "We will arrest him and put him back," as to have the law say that when he gets to New York he can not get a dollar or a dime of the wages due him simply because he has contracted that way across the water? We provide here that when these men come to our ports they shall be entitled to demand half the wages earned, and if refused to go to our courts and sue for one-half of the wages due them. Mark you, we do not encourage the seaman to desert, and we make him lose all he leaves—one-half his wages and his clothing and property on board the ship—but we give him a little mite, so that he may buy a night's lodging or pay for a breakfast.

Mr. LEVY. Mr. Speaker, will the gentleman yield?

Mr. HARDY. No; I can not.

Mr. LEVY. I have no time to speak myself, and this is the only way in which I can have myself heard.

Mr. HARDY. I decline to yield. The gentleman from Washington says that under these circumstances the seaman under this bill goes and has the officer of the vessel arrested, and that will get us into trouble. The gentleman is mistaken. All he can do is to go to our courts and sue for the wages that are due him, and that is not going to get us into any trouble. It is a strange thing to me that men like the gentleman from Washington [Mr. HUMPHREY] are here constantly fighting the battles of the foreign shipowner. Why? What bond of sympathy is it that makes the gentleman from Washington stand up here and defend the so-called or suppose rights of the shipowner of Great Britain, Norway, or Germany? The answer to all of it is this, that if we exempt foreign ships from the restrictions we put on our own the gentleman from Washington can then urge that we have so restricted the shipowner of the United States by constraints that are not upon the shipowners of other countries that he can not compete, and that therefore we must give our shipowner a subsidy.

No, my countrymen, I tell you what we want. We want to build up an American merchant marine. We want to put the American shipowner on the seas governed by the same rules, subject to the same restrictions that the foreign shipowner is under; no more, no less, and this bill in addition to striking the shackles from the limbs of the seaman places our shipowner on the ocean on equal terms with the shipowner of any other nation with one exception, and that is that he may have to pay more for his vessel, but if it is one in the foreign trade only he gets his vessel on equal terms. Then when you put two vessels under different flags, plowing the same waters, and the seaman is free, the seamen of those two vessels will receive the same wages because the seamen will go to where they can get higher wages. But if you shackle them, if you say we will arrest you if you desert, or we will hold you to your ship by the pangs of your stomach, or we will not let you sleep, we will not let you eat, we will not give you anything you have earned if you leave the ship, if we do that then the shipowner abroad can hold in chains his seamen as long as he pleases. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ALEXANDER. Will the gentleman from Massachusetts use some time?

Mr. GREENE of Massachusetts. I yield five minutes to the gentleman from Minnesota [Mr. MANAHAN].

Mr. MANAHAN. Mr. Speaker, a very ordinary way to attempt to destroy a meritorious measure that can not be met upon its merits by argument is by invoking the specter of fear, and the gentleman from Washington [Mr. HUMPHREY] is past master of the art of evoking specters. To my mind there is absolutely no reason why any man in this Chamber should hesitate in voting for this conference report. The bill, as the gentleman from Texas [Mr. HARDY] has just clearly stated, has been carefully considered, has been the subject of the best study of the best men in this Chamber for many years. It is the result of the judgment of the conferees, and, in my opinion, it commends

itself to every thoughtful man. Not one argument has been urged against it upon the merits of the measure, and when gentlemen try to defeat it by talking war and the danger of war they belittle the intelligence of the House and discredit their own. There is no reason why this Nation should be involved in war because, forsooth, a Japanese vessel which sails into the port of Seattle has to submit to the provisions of this bill. The gentleman offers the suggestion that the provisions of this law may be by some irresponsible person insisted upon and embarrassment thereby result. This is purely imaginary. The Empire of Japan is governed by intelligent, patriotic men. They are not going to invoke the terrible catastrophe of war because the men operating vessels under their flag are subjected to exactly the same treatment as men operating our vessels are subjected to in our own ports. An irresponsible man in Seattle might get us into trouble with a foreign power by dynamiting one of their vessels, but not by invoking the provisions of a law deliberately passed by a great government and applied to all alike.

The argument, to my mind, is absurd, and I do not believe the gentleman himself considers it any more than a specious argument, a special plea. This conference report ought to be accepted; this bill ought to be passed. The toiling men in the merchant-marine service have been demanding this legislation for years. We must encourage and protect them. It is the only way we can get the right kind of men to go into the service and build up a merchant marine. It is the only way we can do justice to the sailors upon the seas. It is the only way we can—

Mr. LEVY. Will the gentleman yield? How many sailors have we now in the service?

Mr. MANAHAN. Only a few, because the laws we have in force have been infamously unjust to sailors, and that is why we ought to make this bill a law and enforce it honestly; then, as the years come and go, you will find under its provisions a great merchant marine built up of American sailors to man American ships—

Mr. LEVY. We have not any at all.

Mr. MANAHAN. Because they will get a square deal under its provisions which they do not get now. The very question of the gentleman from New York, as to how many sailors we have, discredits our present law and emphasizes the necessity for this legislation. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Speaker, there are two men in this House whose consistency I admire. One is the distinguished gentleman from Alabama [Mr. UNDERWOOD], who from the beginning to the end of his career in the House has been a consistent advocate of tariff for revenue only. He has held to it through the course of the tariff bill which bears his name, even though the country is sorely distressed, and he refuses to admit the error of his policy when unemployment prevails around about him. He stands by his guns, though the industries shall be closed down. The other gentleman whose consistency I admire is the distinguished gentleman from Missouri [Mr. ALEXANDER], whose course in relation to shipping legislation has been very much like that of the distinguished Democratic leader, Mr. UNDERWOOD. He wants to revise the shipping laws of the United States. He wants to introduce a new merchant-marine system. He has undertaken to do it, partly by suggestion from the White House, by the introduction of certain bills and the repeal of others, until to-day we have the crowning effort of his maritime career. He wants to do to-day with the shipping of the United States what the distinguished gentleman from Alabama [Mr. UNDERWOOD] has done with the industries of the United States—turn them over to our foreign competitors.

Mr. GORDON. Will the gentleman yield right there?

Mr. MOORE. No; I can not.

Mr. GORDON. I wanted to ask the gentleman a question—

Mr. MOORE. I would like to answer, but I have not the time. In his efforts to change the merchant marine, the gentleman approved the bill which came from the Interstate and Foreign Commerce Committee in the Panama Canal act, granting American registry to foreign ships. That meant to confer the American flag upon foreign ships built by foreign cheap labor. The boon of the American flag on foreign craft is of inestimable value to foreigners upon the high seas to-day. Then we had what is called the ship purchase bill, introduced at the instance of the President of the United States, to buy foreign ships. Thank God, it has not yet passed the other Chamber, though it passed this one. That meant the transfer of American money to foreign shipyards. Then we had the bill providing for war-risk insurance for foreign ships that were given the American register. Two ships have already

gone down under this system—ships built by foreign cheap labor—which because they were wrecked had had conferred upon them the right to use the American flag. The Government has already lost through insuring these two foreign-built vessels about \$660,000, which the people staked against premiums amounting to \$21,000. Then we had what was called the wreckage bill, brought in by the gentleman from Missouri [Mr. ALEXANDER] and his committee. That bill proposed that where old foreign hulks were wrecked upon the American coast and repaired somewhere in American shipyards they shall be given the right to use the American flag. Thus we see how, in the matter of building a new marine industry in the United States, the gentleman from Missouri has been absolutely consistent in his course, as the gentleman from Alabama was consistent in his course in helping—unwittingly, of course—to close up the industries of this country for the benefit of our foreign competitors.

Through the vast imports that come into this country from foreign mills—both British and German—even during the war, we have been able to discern just what it means to have the low tariff in this country. The imports have not fallen off to any great extent relatively, so far as the activities of the mills in Germany and Great Britain have been concerned. We have been sending them more raw material than ever, especially cotton, to work up into competitive manufactures to batter down our own industries.

The damage has been great, not only to the employers and the labor in the textile industries in the United States but the loss to the Treasury has been most acute. That our own industries suffered while we have been feeding foreign mills to compete with us under the low tariff, even during the war, is attested by the hundreds of thousands of unemployed workmen in our own country. I have not overindulged the temptation to tell of the misery that exists in the textile districts of Philadelphia, but I know there is lack of employment both in the mills and in the shipyards, and I further know that it is due not to the European war but to the legislation recently passed and proposed in this Congress which favors the European manufacturers and European shipbuilders above the men and the women who obtain their livelihood here. The closing of at least 12 hosiery mills in Philadelphia alone during the last year is but a drop in the bucket of industrial depression that has prevailed since the low-tariff law went into effect. The imports from Germany have been so steady and so heavy that it was useless for these mills to undertake to do business against so cheap and so formidable a foreign deluge.

And we have the unemployed with us still, not only in the textile industry but at the shipyards, in the iron and steel industry, and in various other industries all over this country.

Now, what does this shipping bill propose to do? In short, it proposes to turn over about everything we have left in the way of an advantage to American shipping to our foreign competitors. The gentleman from Texas [Mr. HARDY] makes a most brilliant and eloquent speech about the gyves that are upon the wrists and the shackles that are upon the legs of American seamen, but the gentleman from Minnesota [Mr. MANAHAN] says there are no American seamen. Then what becomes of this beautiful bit of sympathetic oratory from Texas? If there are no American seamen, it is useless to talk of shackles upon American seamen. The bill is weak in this particular, because it speaks of "involuntary servitude." I do not believe in shackles or involuntary servitude, and I am not prepared to weep crocodile tears over any such pretense of slavery. The American workman does not yield to shackles or slavery anywhere in this country. It is a favorite expression with agitators, but it belies the spirit of the man who works for a living in the United States. We have no slaves in the United States to-day. It is idle to talk of "slavery" in connection with this bill. We abolished slavery long ago. We struck the shackles from 4,000,000 slaves, and did it effectively and well, and there have been no slaves in this country since.

What does this bill propose? It proposes that inasmuch as we have no American sailors we shall give the American sailors' rights to foreign sailors, that inasmuch as we have no American ships we shall confer every American right upon foreign ships. We have done that right along in every bill that has been introduced under the present administration. We provide in this bill that no man shall be qualified as an able-bodied seaman unless he has had three years' actual service upon the high seas. The gentleman from Missouri [Mr. ALEXANDER] admitted that in a question put to him by me a little while ago. Where, in the name of heaven, are we going to get American men equipped to be American seamen unless we provide for some sort of apprenticeship? Where are we going to get able-bodied American seamen when the only men qualified to serve under

the law are the men who have had three years' experience on the high seas? What men are qualified to become able-bodied seamen? The fact is that under this bill the only man who can claim to be an able-bodied seaman, there being no American seamen, is the man who has served three years on a foreign ship and who speaks some foreign language. [Applause.]

Mr. ALEXANDER. Will the gentleman yield?

Mr. MOORE. Yes.

Mr. ALEXANDER. The gentleman who applauded that sentiment does not know the provisions.

Mr. MOORE. I think that was the Seamen's Union.

Mr. ALEXANDER. The bill provides that graduates of school ships may become able seamen after 12 months' service.

Mr. MOORE. If that is provided in this bill, it may help a little; but the three-year seaman is a foreign seaman.

Mr. ALEXANDER. It is provided in this bill. It also provides that any seaman after 12 months' service at sea or on the Great Lakes, and who passes an examination as to eyesight and seamanship, may become an able seaman.

Mr. MOORE. May I ask the gentleman where we will get American seamen while we are waiting for the three years to pass by?

Mr. ALEXANDER. Why, we have not any American seamen in any number.

Mr. MOORE. Then, we will have to fill up this new American merchant marine, of which the gentleman from Missouri is the father, by employing foreign seamen on foreign ships flying the American flag. Take foreign material, foreign labor, foreign workshops, foreign shipyards, and foreign ships and put foreign labor on them, and then we have an American merchant marine. Do not do any of the work in this country; do it abroad. That is the proposition in this bill.

Mr. ALEXANDER. Will the gentleman let me answer that question? All ships under the American flag employ the same class of seamen as vessels under foreign flags, and we have no law, and have not had for 20 years, requiring them to be American seamen.

Mr. MOORE. Mr. Speaker, I wish to say this: That while the gentleman has devoted himself to this work, and very consistently as I have said, the gentleman is mistaken if, in his opinion, American advantages will be derived from the passage of this bill. What will become of the man with small capital who operates a single ship along the Atlantic seaboard stopping from port to port, or any small corporation for that matter, subjected as they will be to the restrictions and limitations imposed by this bill? The crew can do substantially what it pleases with the vessel. With the great corporations owning large steamships and able to employ counsel and maintain an organization for protective purposes it will be different. They can drive the small operator away from the coast or off the seas. The man who owns a yacht is exempted from the provisions of this bill, but the small shipper will have a hard fight for existence under it. The advantage, if any, will be with the large foreign corporations, many of which now have a firm foothold in this country. Apart from the fact that the grant of the American flag to foreign ships has had the effect of increasing foreign wages, there is no advantage in this kind of legislation. It will not help to build up an American merchant marine. On the contrary, while it involves complications in the matter of our treaty relations with foreign countries, it is more in the interest of the great foreign corporations that now do the American carrying trade over the seas than it is in the interest of American shipping. It certainly will not help American shipyards or American labor. It will have the one effect of increasing the wages of foreign seamen and of reducing the opportunities of the American workman generally for employment.

One other point. The course which the gentleman from Missouri has been pursuing with regard to the merchant marine has not all been smooth sailing. For several days I have been calling attention to the menace of the War Risk Bureau created at the instance of the President. I have called attention to the sinking of the two foreign-built vessels that secured the American flag, under which to carry cotton into the war zones. I have referred to the power of the President to interfere with this hazardous business if he saw fit to exercise his power. Apparently the President has seen fit to take steps in this regard. It is with much pleasure I read from a report in the Washington Herald this morning:

WAR INSURANCE HELD UP—DAMPER ON SHIP DANGER—ACTION FOLLOWS LOSS OF TWO AMERICAN SHIPS IN MINE AREA.

The first tangible result in Washington of the sinking of the American steamships *Evelyn* and *Carib* in the mine area of the North Sea was the action of the Bureau of War Risk Insurance yesterday in deciding upon temporary suspension of insurance on ships bound for north European ports.

This decision followed a conference by President Wilson with Secretary of the Treasury McAdoo and Assistant Secretary of the Treasury Peters at the White House. The decision reached was that there should be an immediate horizontal increase in the rates on risks in the zone of war. Pending a meeting of the advisory insurance board to fix new rates no policies will be issued on such risks.

While it is represented officially that the decision is a purely technical result of the newly demonstrated dangers in the North Sea areas, it is pointed out that one effect of the Government's action will be to discourage in some measure American ships from entering the mine and war-zone areas.

In addition to this report, Secretary McAdoo, of the Treasury Department, is declared to have given out a statement admitting the loss on the steamships *Evelyn* and *Carib*. I append that statement, which verifies the information given by me to the House yesterday, and which was subsequently confirmed in the statement of the gentleman from Mississippi [Mr. HARRISON]:

The total insurance carried by the Bureau of War Risk Insurance of the Treasury Department upon the steamship *Evelyn*, reported sunk off Borkum Island February 19, and the steamer *Carib*, reported sunk in the North Sea February 23, is \$659,103, which is covered entirely by premiums already earned by the Bureau of War Risk Insurance.

Now, Mr. Speaker, the War Risk Bureau was to have been the inspiration of the new American merchant marine, especially to get our exports into the war zone. The business was a thriving business while the premiums were coming in, but the loss of two ships of the hundreds that have been insured wiped out more than one-third of all the collections. It is possible the President has yielded to the demands made upon this floor for a halt in the reckless business we seem to have been doing. I am grateful that the President, whether he has responded to the demands made upon this floor or not, has decided to take action on a matter so fraught with peril.

Mr. GUERNSEY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Maine?

Mr. MOORE. I regret I have not the time. I am glad that in the mad rush to pass shipping legislation that is in the interest of the foreign corporations and against legitimate American shipping our protests have at last been heard. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE. Mr. Speaker, in extending my remarks, I desire to insert an editorial from this morning's Philadelphia Record. The Record is a Democratic paper which is devoted to President Wilson. It does not approve this so-called seamen's bill for reasons which are very clearly stated. It is as follows:

[From the Philadelphia Record, Feb. 25, 1915.]

WAGES FOLLOW THE FLAG.

It is a curious thing that the foreign officers and men of American-owned, but foreign-built, vessels demanded American wages just as soon as the flag was changed, and it is a more curious thing that the owners found it necessary to increase the wages very nearly double as soon as the nationality of the ship was changed, though the owners and the crews were identically the same as before. Senator Gallinger has sought information on this point from companies that have had their property transferred from foreign to the American flag, and all of them tell the same story.

If men will work under a foreign flag for about half what they demanded under the American flag there is a very obvious and simple reason, of unquestionable solvency in commerce, for letting them go on working under the Norwegian, or Danish, or Dutch, or Italian flag. What is the use of raising the American flag over them and doubling their wages?

If it will cost a great deal more to operate steamers under the American than under a foreign flag private capital, which has a sordid interest in profits, will for the most part keep clear of American steamers. The loss will not be endured by private capital, and if there is a loss to private owners it can't be turned into a profit by making good the deficit out of the Public Treasury, whether by subsidizing privately owned steamers or by defraying the expenses of steamers owned by the Government. All that can be done is to transfer that loss from individual owners to all the people of the Nation.

There are two conditions that would justify the Nation in operating American steamers at a loss. One would be the lack of transportation facilities. The amount of shipping in our ports before the war and the rapid increase of our exports refute this. Whatever deficiency there is at the present time is greatly exaggerated, as is proved by the enormous amount of our exports.

The other condition is the importance of being able to invade some other country. The one strong, consistent argument for the support of an American merchant marine out of the Public Treasury, which rests upon facts and not dreams and fictions, is the need of a large mercantile marine to support the Navy and transport the Army in the event of an aggressive war. Here the advocates of a merchant marine supported in considerable part by the proceeds of taxation have plenty of facts. When we invaded Cuba with a small Army we had trouble in getting a sufficient supply of transports and store ships. If we should undertake to invade England, or France, Germany, Italy, Russia or Japan we should find it almost impossible to get vessels enough to carry the troops and their war material. If we are planning a war of aggression on any country except Mexico and Canada, both of which we can enter by land, then there is undoubtedly a reason why public moneys should be freely used in acquiring and maintaining a merchant fleet that we could commandeer on the instant.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask the gentleman from Missouri [Mr. ALEXANDER], who, I understand, has 20 minutes, if he intends to occupy that time himself?

Mr. ALEXANDER. I yield three minutes to the gentleman from New York [Mr. LEVY].

The SPEAKER. The gentleman from New York [Mr. LEVY] is recognized for three minutes.

Mr. LEVY. Mr. Speaker, I regret exceedingly that I can not have more time than three minutes on this very important measure. I myself am a friend of the sailors and seamen. My father was a cabin boy on one of Stephen Girard's ships, and followed the sea all his life. Therefore I am a friend of the seamen. In my opinion this bill is directly against the interests of the seamen, and I think it will prove disastrous to the shipping interests of the United States—what little we have left.

Do you want to drive out the little remnant of trade that still remains? The gentleman stated that we have but few sailors in the United States on account of our poor laws. It is because of our shipping laws, which have driven American ships from the sea. We have comparatively few sailors; only a few thousand. It is a disgrace. American sailors are absolutely ignored in this bill. This bill is in the interest of foreign sailors. Here is one item alone which I will read which proves that the measure is injurious to the American sailor:

That is shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order, or note, or other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case except as herein provided absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment, as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than \$500.

Why, under this section they will not be allowed to advance a poor sailor a few dollars if he needs the money. Suppose a sailor is in trouble and wants money. The captain, if he gives him aid, will be libeled when he returns to port, and he can be annoyed by no end of litigation.

The shipping laws as administered in every port can take care of our ships. Our officials know how they are manned. Anyone can go and complain to-day and have an investigation made of a ship before sailing.

Take, for instance, the business on the Pacific coast. Many have stated that the coastwise trade has been lucrative. I know that in many cases 97 per cent of the gross receipts of steamships has been expended on the upkeep and running expenses of the ships, allowing nothing for deterioration or anything that would add to the value of the vessel. This condition has prevailed for the last three or four years in the hope that prosperity might come, and in the hope that some good might come from this Congress in the interest of shipping. There are some good features in this bill which will aid and protect life at sea, but little or no encouragement is given our merchant marine.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. LEVY. I regret I have not the time. I have only three minutes. I will state now that every Member of this House ought to vote against this bill, because it will not in any way aid the shipping interests of the United States. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired. The gentleman from Missouri [Mr. ALEXANDER] has 17 minutes left.

Mr. ALEXANDER. Mr. Speaker, I yield seven minutes to the gentleman from Washington [Mr. BRYAN].

The SPEAKER. The gentleman from Washington [Mr. BRYAN] is recognized for seven minutes.

Mr. BRYAN. Mr. Speaker, I am in favor of this bill. If I mistake not, there is a determination on the part of the public in this country to assert an American doctrine in reference to the merchant marine of this country.

We have lived for a long time under the idea of doing something that will please the foreigner. We have tried to handle our ships to the satisfaction of foreign nations. We have heard the arguments about English, German, Belgian, and other ships, and how they are maintained, and that we had to align ourselves in some way to their policy. Where have we gone on that theory? What have we accomplished? We have no for-

eign merchant marine now. We have practically no foreign ships upon the seas. We have no ships that are ready to be turned into transports in case of war. We have none of the glory that comes from having ships in the ports of the world. We have got to change our policy. We have got to adopt an American policy.

The gentleman from my State [Mr. HUMPHREY of Washington] comes and says that over in Vancouver there are certain conditions, and he wants us to pattern our shipping laws after the laws that obtain over at Vancouver. He does not believe in applying labor conditions obtaining in Vancouver to other matters in the State of Washington, but he wants an American standard established where lime, fish, lumber, and other industries are involved. In all matters except ocean shipping he wants standards established that will be satisfactory to the American people, and he wants those standards to be applied to labor in all its various forms, except when it comes to the Shipping Trust, when it comes to vessels; then it seems that it is necessary for us, in his judgment, to so handle our shipping industry that we may be in accord with the laws of British Columbia, that we may be able to stop at their ports and compete with their labor. But I say we have got to adopt an American policy.

Reference has been made to the coastwise trade, which has been so carefully protected. But even our coastwise shipping is not a haven for American sailors. Chinese employees are found there. Chinese crews are permitted in our coastwise traffic on both oceans.

We have no recognition of American standards, even in our coastwise traffic. I do not believe that the American people are going to continue to stand for that kind of thing. I believe that the action of the administration and the conditions that obtain now internationally have forced the problems of our American merchant marine to the front and that the American people are going to rise up and demand an American policy, one commensurate with the dignity of the American people and in accord with our traditions as to justice and fairness to the seamen and to the passengers on the vessels.

Mr. CAMPBELL. Will the gentleman yield?

Mr. BRYAN. I yield to the gentleman from Kansas.

Mr. CAMPBELL. I am anxious to vote right on this bill. I do not know a thing about it. I wish the gentleman would tell me why I should vote for it.

Mr. BRYAN. If the gentleman is a ranking minority Member, a leading Republican here on this floor and has been for all these years, and does not know anything about this bill at this day and stage of the game, I am sure I could not inform him.

Mr. CAMPBELL. Men differ about it—

Mr. BRYAN. I refuse to yield further. I will not yield to ignorance on a matter of this kind.

Mr. CAMPBELL. You are giving the House a whole lot of ignorance now.

The SPEAKER. The gentleman declines to yield.

Mr. BRYAN. There is one difference between the gentleman and myself. The gentleman admits his absolute ignorance, says he does not know about it. He has been a Member on the floor all this time. He admits his ignorance, and I do not admit mine.

Mr. CAMPBELL. They can prove it on you.

Mr. BRYAN. I decline to yield. We are spending a million dollars a month, we are spending over \$12,000,000 a year in keeping up our lighthouses, our coast guards, and various agencies of the Federal Government to help ships, to make their course clear, and to help the traffic up and down our coasts. Then, we are spending something like \$50,000,000 a year on rivers and harbors. We spent \$400,000,000 for the Panama Canal, and are spending a million a month to operate it. But when the time comes when we want an American merchant marine, when an emergency arises and we look for our ships, we find that American capital is invested in foreign ships. We find the American Mercantile Co. owning English companies and owning American companies, and the English companies own ships and the American companies own ships, but still the proprietorship of the whole fleet and the series of subsidiary companies is down on Wall Street, in New York. And in their report just a few months ago the American Mercantile Co. stated that they had decided to transfer their two American-built vessels from the English company to the American company, because since they were American-built vessels they might take part in the coastwise trade. So they stand there as high lords of the admiralty and are able to transfer from one flag to the other, in accordance with the way that the nation to whom they may appeal will favor them. The shipping organizations stand at the threshold of parliaments and at the

doors of the kings of the world, and they say to the Governments, "You want a merchant marine; you want ships to carry your troops; you want the glory of your flag maintained on the high seas; you want the advantage of having a merchant marine of your own to carry your commerce. We have the boats. We will come and enlist under your flag, provided you give us the money." And so they bluff nation after nation and make the Governments of the earth stand as bidders for their boats, and they come here to this Congress and expect the American people to give them subsidies, to pay them cash by the million, in order that we may thereby have ships to carry our commerce. But we are not going to do it. That is not going to be the American policy. A better policy will be worked out. I believe that the people are back of the present plan. I believe that the people are willing to go into the ownership of these ships and the handling and operating of them if it is necessary in order to promote the American merchant marine. We are not going to be ridiculed, we are not going to be laughed at and scoffed at by the men who own the ships, when the time comes. If we have to vote the money, we will at least have the ships to show for it. We are not going to have our sailors driven off the sea, either. We are not going to have every American standard forgotten and all the means of ocean transportation under our flag taken away from us by the hiring of cheap labor, by the hiring of Chinese and all kinds of crews. This is an emergency. It is a matter that calls for the highest and most profound patriotism. [Applause.]

Mr. GREENE of Massachusetts. Is the gentleman from Missouri prepared to conclude in one speech?

Mr. ALEXANDER. There will be two other speeches on this side.

Mr. GREENE of Massachusetts. I have one other speech on this side.

Mr. ALEXANDER. I yield to the gentleman from Illinois [Mr. MANN] three minutes.

Mr. MANN. Mr. Speaker, this matter has been before Congress for a number of years, and has received very careful attention. The conference report now before us was signed by all five of the House conferees and all five of the Senate conferees. I shall vote for the conference report without hesitation.

However, there is one matter that I have a question about. I do not know how far the passage of this bill might interfere in any way with our foreign affairs at this time or involve us in any foreign complications; but I shall vote for the conference report, assuming that if the Department of State or the President of the United States, upon examination, finds that the passage of this bill at this time might be embarrassing to our country in dealing with foreign countries under the existing conditions the President will take the responsibility, if necessary, of vetoing the bill and stating the reasons why. And if he should veto the bill because of these reasons, I do not think I would be willing to vote to pass the bill over the President's veto. I am satisfied that the administration will do everything within its reasonable power to prevent our country becoming involved with foreign countries in such complications as might lead now to war or even to misunderstandings now which might bring war in the future. And in this matter, where we have not yet been advised by the President and the State Department that there are such fears or difficulties, we must, in my judgment, leave the matter at present in the sound and wise discretion of the President. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I yield to the gentleman from Washington [Mr. HUMPHREY] four minutes.

Mr. HUMPHREY of Washington. Mr. Speaker, I am not going to occupy but a moment. I want to call the attention of my colleague to one fact in regard to which he was mistaken when he said that they used Chinese crews in the coastwise trade. That is not true upon the Pacific coast nor upon the Atlantic coast. The sailors' union dominates the coastwise trade on the Pacific coast, and they do not allow Chinese sailors to be employed; and I am glad that they do not.

My colleague spoke about the transfer of business to Vancouver that now comes to Seattle. This will certainly be the result of this bill if it is enacted into law. The result of this bill will be to place all American shipping on the Pacific under the Japanese flag. It will be easier for the great Pacific mail vessels to change their flag than it will be to change their crew. That is what will occur. I am not blaming my colleague. I know that he does not think it is true. It is not an error of the heart on his part, but a lack of understanding of the situation.

Mr. BRYAN. Will the gentleman yield?

Mr. HUMPHREY of Washington. Yes.

Mr. BRYAN. Does the gentleman take the position that no Chinese are employed in the coastwise trade?

Mr. HUMPHREY of Washington. None are employed that I know of as sailors, and I think I know what I am talking about.

Mr. BRYAN. Maybe the gentleman thinks he knows, just as I think I know; and I know I am right.

Mr. HUMPHREY of Washington. The evil I fear is the one spoken of by the distinguished gentleman from Illinois, and that is the situation to-day is such throughout the world, and especially upon the Pacific coast, that I anticipate great danger if this bill is passed. I can not conceive of any emergency at this time in our country requiring us to take any chances of becoming involved with foreign countries. The tension to-day is such that I think that unless there is some great reason for it we ought to keep away even from the shadow of trouble. It is not a question of how close we can come to war and escape it; the thing to do in the mind of every true American citizen is how far we can keep away from trouble, and that is the reason why I am opposed to this bill at this time. I now yield the balance of my time to the gentleman from Kansas [Mr. CAMPBELL].

The SPEAKER. The gentleman from Kansas is recognized for one minute.

Mr. CAMPBELL. Mr. Speaker, in one minute I want to simply say that I shall vote for the bill because of three things I hope the law will accomplish which the gentleman from Washington [Mr. BRYAN] apparently does not know. It abolishes arrest for desertion and makes the rules for shipping in our ports the same for all ships that enter, and adds to safety at sea. I had hoped that some one would discuss the bill as to these purposes of the bill and give us some real reasons for supporting it. The gentleman from Washington [Mr. BRYAN] apparently does not know the purposes of the bill. [Laughter.]

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. ALEXANDER. Mr. Speaker, I yield one minute to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Speaker, I do not feel that I can afford to vote against this bill because of the great merit that is contained in many of its provisions. I vote for it, however, at this time with some apprehension. Like the gentleman from Illinois [Mr. MANN] I am willing to pass the responsibility in this instance to the President of the United States; but I will go further than the gentleman from Illinois, in that if the President vetoes it because of the dangers that may come to us by reason of its passage and enforcement, I will not vote to pass it notwithstanding his veto. [Applause.]

Mr. ALEXANDER. Mr. Speaker, I am not sure that the gentleman from Kansas was here all the time, but if he was I do not feel complimented at all if he did not understand the explanation I undertook to make to the membership of the House of the provisions of the bill.

Mr. Speaker, I have not the time nor the disposition to answer all the objections which have been made by the gentleman from Pennsylvania [Mr. MOORE] to this bill. I never can understand his logic; there is not much sequence between his premises and his conclusions.

Just how this bill is framed in the interest of the foreign sailors and shipowners I confess I can not see. I have never heard that charge made before. It is proposed by the Seamen's Union and has the unqualified support of the Federation of Labor, and I assume that these gentlemen understand the bill from the standpoint of labor better than does the gentleman from Pennsylvania.

I have observed this fact: That the most of the propositions coming up in the House having the support of the Federation of Labor and the Seamen's Union are opposed by the gentleman from Pennsylvania [Mr. MOORE].

Now, this bill proposes to abrogate so much of our treaties with foreign nations as provide for the arrest of sailors or seamen who have violated their civil contract of service.

Article 13 of the Constitution of the United States, section 1, provides:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

And yet our Supreme Court held that the vocation of seamen was so different from that of service on land that seamen were not included in this provision of the Constitution of the United States. The Democratic national platform of 1912 contains the following plank:

We urge upon Congress the speedy enactment of laws for greater security of life and property at sea, and we favor the repeal of all laws

and the abrogation of so much of our treaties with other nations as provide for the arrest and imprisonment of seamen charged with violation of their contracts of service. Such laws and treaties are un-American and violate the spirit, if not the letter, of the Constitution of the United States.

The Republican platform of 1912 also contains this declaration:

We favor the speedy enactment of laws to provide that seamen shall not be compelled to endure involuntary servitude and that life and property at sea shall be safeguarded by the ample equipment of vessels with life-saving appliances and with full complements of skilled, able-bodied seamen to operate them.

Hence the provision of this bill that abrogates so much of our treaties as require us to arrest and return deserting seamen for the violation of their civil contracts of service carry out the pledges of the two platforms, and we are pledged to the abrogation of those treaties.

As declared in the Democratic platform, "such laws and treaties are un-American and violate the spirit, if not the letter, of the Constitution of the United States."

The provisions of this bill which appeal to me more strongly than any others are those which provide for greater safety of life at sea, and I am very sure this bill does provide for greater safety of life at sea. On ocean-going vessels we provide that there shall be lifeboats enough for all. When the *Titanic* went down provision was made for only 30 per cent of those on board. This is the first time such ample provision has been made for the safety of those who go down to the sea in ships. We provide for the efficient manning of those lifeboats. We provide for the efficient manning of vessels. We do not impose any additional burdens on the vessel owners by unnecessarily increasing the crew. We provide for greater efficiency.

We have never heretofore defined by law who may be rated an able seaman. We make provision in this bill that certain service at sea shall be required to entitle a man to the rating of able seaman. Heretofore this vast power, affecting as it does so vitally the safety of life at sea, has been vested in local inspectors. They are human. They must come in contact with vast and powerful interests; and if the vessel owners have exercised an unwholesome influence in this regard—in other words, if the provisions in the matter of manning vessels and in the equipment of vessels have not been up to the high standards necessary to safety of life at sea—we should not find fault with the local inspectors. The duty has been with us all of the while to prescribe the minimum standards, and hence in this bill we are prescribing minimum standards in order that there may be greater safety of life at sea. We are taking away from the local inspectors part of the discretion heretofore vested in them under the law. I feel sure they will welcome relief to that extent from the very great responsibilities with which they are charged.

This is a good bill. It not only ameliorates the lot of the seaman but it provides a far greater means of safety of life at sea.

No one questions the desirability of applying the standards of safety provided for in this bill to vessels of the United States. If they are reasonable and should be applied to vessels under our flag, there is no good reason why they should not apply to foreign vessels entering and departing from our ports.

More than 90 per cent of our over-seas commerce is carried in foreign ships, and nearly all American citizens going to and returning from foreign countries travel in foreign ships. Why, then, should we not require foreign vessels to comply with our standards of safety?

The gentleman from Washington [Mr. HUMPHREY] expresses the fear that if this bill becomes a law it may involve us in serious difficulty with Japan. Mr. R. P. Schwerin, vice president and general manager of the Pacific Mail Steamship Co., in letters to me of recent date, expresses the opinion that if this bill becomes a law the effect will be to give Japan the monopoly of the over-seas trade on the Pacific. If that should be the effect, Japan will not have occasion to complain. But I think both of these gentlemen are wrong.

Mr. Schwerin bases his contention on the provision in section 13 of the bill, requiring not less than 75 per cent of the crew to understand any order given by the officers of the vessel. He fears that the effect of this provision will be to force the Pacific Mail Steamship Co. to discharge its Chinese crews and make it impossible to compete with the subsidized lines of Japan.

Mr. Schwerin states that wages of the European seamen out of Pacific coast ports vary in the different departments from \$40 to \$55 per month gold, while the wages of the oriental seamen out of oriental ports vary from \$7.50 to \$9 gold, and that the cost of feeding the European sailor is 55 cents per diem,

while that of feeding the oriental sailor is 13 cents. There is therefore a great difference of operating vessels in the same trade where one pays oriental and the other pays European wages; but would Mr. Schwerin be compelled to discharge his Chinese crews? In his testimony before the Committee on the Merchant Marine and Fisheries, when this bill was under consideration in the last Congress, Mr. Schwerin stated that the Pacific Mail Steamship Co. does not have to handle its Asiatic crews through interpreters, as these men understand the sea language of the officers. Mr. J. Kruttschnitt, chairman of the executive committee of the Pacific Mail Steamship Co., in a letter to me of date January 20, 1915, referring to and discussing the seamen's bill, makes the statement that the Pacific Mail Steamship Co. does not have to handle its Asiatic crews through interpreters, as these men understand the sea language of the officers and answer individually all orders, irrespective of any statements to the contrary. Hence I am at a loss to know why it would be necessary for the Pacific Mail Steamship Co. to discharge their Chinese crews. The Chinese crews on their vessels should be able to meet the requirements of the language test. This provision in section 13 is not intended to vex vessel owners, but to insure the efficiency of crews. If the wages of oriental seamen are only from \$7.50 to \$9 gold per month and the cost of feeding oriental sailors only 13 cents per day, and if there is any doubt of the Chinese crews on the vessels of the Pacific Mail Steamship Co. being able to meet the language test, it would not involve much expense to have schools of instruction in which they might be qualified to meet the requirements of the law. As I had occasion to remark in my report on this bill, while it may be true ordinarily that the orders of the officers may be communicated to the crew through an interpreter, yet there are times and circumstances under which this would not be practicable, and it is the duty of the vessel owner to provide a crew to meet every exigency in the event of fire or collision or other circumstances resulting in panic on board ship. The officers and crew should act promptly and the crew should be under perfect discipline, and the safety of the vessel and her cargo and of the persons on board should not be imperiled by any such limitation as would be imposed by requiring orders of the officers to be conveyed to the crew through interpreters. It is not hard to imagine cases where, by casualty, the services of the interpreter might not be available when most needed.

It is the duty of the owners of steamers carrying goods and passengers not only to provide a seaworthy vessel, but they must also provide a vessel with a crew adequate in number and competent for their duty with reference to the exigencies of the intended route—not merely competent for the ordinary duties of the uneventful voyage, but for any exigency that is likely to happen.

Section 13 further provides that the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of such section. I assume that the regulations will be reasonable and will be enforced impartially and with a view solely of securing efficient crews.

The gentleman from Washington [Mr. HUMPHREY] was very insistent that any irresponsible person can secure a muster of the crew and occasion vexatious delay in the departure of a vessel from port. The bill provides that the collector of customs may, upon his own motion and shall upon the sworn information of any responsible citizen of the United States setting forth that the law is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact, and no clearance shall be given to any vessel failing to comply with the provisions of the section. The section further provides, however, that the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs or is scheduled to depart; and further, that any person who shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury, and upon conviction thereof shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. The penalty prescribed should be sufficient to prevent any irresponsible person from making the affidavit, and I hardly think the gentleman's fears are well founded.

It has been insisted in some quarters that the provision of the bill with reference to lifeboats and life rafts and the manning of same should be the same on passenger vessels on our inland waters, including the Great Lakes, as the requirements on vessels on the high seas. The bill as it passed the Senate applies the same rules to passenger vessels on our lakes, bays, and sounds as are applied to ocean-going vessels in the merchant

marine. The committee, after extended hearings, at which the vessel owners on our lakes, bays, and sounds were heard, as well as those who took the contrary view, were of the opinion that it would be unreasonable to apply the same rules as to lifeboat equipment on the Great Lakes and on the bays and sounds as should be applied to ocean-going vessels. The conferees take the same view. The bays and sounds are exempt from the provisions of the bill as regards lifeboat equipment. The duty will devolve upon the Steamboat-Inspection Service as heretofore to provide the equipment in the matter of lifeboats for passenger vessels on rivers, bays, and sounds and on the Great Lakes on routes less than 3 miles offshore and over waters whose depth is not sufficient to entirely submerge the vessel.

The following article was prepared by Mr. M. E. Farr, president of the Detroit Ship Building Co., and is a fair statement of the present conditions on the Great Lakes as regards safety of travel, as shown by the hearings on the bill before the Committee on the Merchant Marine and Fisheries and by affidavits filed with the committee by the passenger-vessel owners, all of which testimony was carefully considered by the committee in framing section 14 of the bill as it affects the Great Lakes. The article follows:

SAFETY OF TRAVEL ON THE GREAT LAKES.

FEBRUARY 4, 1915.

Coincident with the use of steel in the construction of lake passenger steamers began an era of safety in transportation on the northern Lakes. Before this time many steamers plying on the Great Lakes met with disaster, and compared with the number of passengers carried the loss of life and property was considerable. The substitution of steel for wood construction made it possible to introduce safeguards for the protection of life and property that were impossible under the practice of wooden construction. It was impossible to provide water bottoms and water-tight bulkheads in a steamer built of wood, and there was little advantage in having the fireproof, smokestack, and cabin casings of material other than wood, for the reason that the entire ship was built of this material. In case of serious accident through collision or stranding, or from fire, which generally originated in the fireproof, the galley, or lamp room, and often in the crew's quarters, there was little hope of saving the wooden vessel, and the lives of the passengers and crew were in distinct peril.

In the older type of ship the lamp room had no metal protection whatever, and in later vessels built of wood this room was covered with ordinary galvanized iron tacked on without any insulation whatever. In the earlier steamers fluid and later kerosene oil was used for illuminating purposes. The quality of either of these illuminants was not always the best, and many serious fires originated from this source.

These wooden passenger steamers carried wooden lifeboats, or rather yawls, which were seldom lowered from the davits from the beginning to the end of the season, and often when these yawls were launched they swamped immediately, for the reason that the seams had opened through the neglect of the crew to keep water in the boats to prevent shrinking. Often the davit falls were rotten, and it was not infre-

quent that the eyebolts would pull out through the rottenness of the yawl. The life raft was practically unknown and life boards were used instead. The life preservers generally were not of the best quality, and cases have been known where these have been weighted with metal to give them the weight required by law.

Since the advent of the use of steel in the construction of lake passenger steamers not one passenger's life has been lost, and no steamer has been lost through stranding, collision, or stress of weather. Modern passenger steamers are now equipped with water bottoms, collision and other bulkheads, steel decks, steel engine room, smokestack, cabin and other casings, which practically eliminates the danger of fire so far as the hull is concerned, and reduces to a minimum danger of loss of the steamer through collision or stress of weather.

We now find all life-saving equipment of the best and strictly in accordance with the highest practice and in conformity with Government regulations. Instead of the wooden yawl we now have not only a serviceable lifeboat built of steel and equipped with air tanks, which affords stability in case of filling, but davits, falls, and releasing devices, insuring speedy and certain launching of the life-saving equipment; also crews familiar with the handling of this equipment through frequent drills not only required by law but by other demonstrations insisted upon by Government inspectors and also the steamerboat managers. Instead of kerosene oil we now have electricity for illuminating, and instead of a single fire pump we now have numerous pumps with many hydrants placed throughout the ship, together with a sprinkler system and an automatic fire-alarm system, which reduces the fire hazard to a minimum.

Above all, the manager of the modern lake steamer insists upon discipline and sobriety, and I have yet to find a master or any other important officer of a passenger steamer who not only qualifies as a non-drinker but as a most careful and level-headed navigator.

The fact that the passenger lines operating steel steamers upon the Great Lakes, carrying millions of passengers, have not lost a single passenger should be ample proof that the modern steamer is a stable and safe vehicle for water transportation, and also that these steamers are controlled by careful and efficient men, whose success and the success of their transportation companies depends entirely upon the safety of the passengers and the property entrusted to their care. No navigable waters in the world have a better record for safety in transporting passengers than the Great Lakes of North America. Great disasters have occurred in harbors and on inland rivers, but we have yet to record a serious accident which has occurred on the Great Lakes since steel has been used in the construction of lake passenger steamers.

The following tables were prepared for me by my request by Gen. Uhler, Chief of the Steamboat-Inspection Service:

Table A shows the equipment now required by the regulations of the Steamboat-Inspection Service on vessels on the Great Lakes on routes and under the conditions shown in the table.

Table B shows the lifeboat equipment and manning that would be required on the Great Lakes under the provisions of the Senate bill.

Table C shows the lifeboat equipment and manning that would be required by the conference report on vessels on the Great Lakes on routes more than 3 miles offshore, except over waters whose depth is not sufficient to entirely submerge the vessel.

TABLE A.—Present equipment under regulations of Steamboat-Inspection Service.

Name of vessel, and points between which operated.	Present equipment.					Present crew.				Number of persons carried.			
	Life-boats.	Per-sons allowed to life-boats.	Life rafts.	Per-sons allowed to life rafts.	Total number allowed to all boats and rafts.	Offic-ers.	Crew con-nected with naviga-tion.	Stew-ards' and other depart-ments.	Total crew.	May 15 to Oct. 15.	Oct. 15 to May 15.	Five miles. <sup>1</sup>	Ten miles. <sup>1</sup>
The Erie & Western Transit Co., Buffalo, N. Y.:													
Octorara, Buffalo, N. Y.—Duluth, Minn. ....	10	260	9	175	435	6	27	77	110	435	435	.....	.....
Juniata, Buffalo, N. Y.—Duluth, Minn. ....	10	260	9	175	435	6	27	77	110	435	435	.....	.....
Tionesta, Buffalo, N. Y.—Duluth, Minn. ....	10	260	9	175	435	6	27	77	110	435	435	.....	.....
The Lake Erie Excursion Co., Buffalo, N. Y.:													
Americana, Buffalo, N. Y.—Crystal Beach, Ontario.....	6	130	9	227	357	4	26	19	49	3,549	354	.....	.....
Canadiana, Buffalo, N. Y.—Crystal Beach, Ontario.....	6	110	11	245	355	4	26	19	49	3,549	354	.....	.....
St. Joseph-Chicago Steamship Co., St. Joseph, Mich.:													
Eastland, St. Joseph, Mich.—Chicago, Ill. ....	8	159	31	486	645	6	34	35	75	1,220	645	.....	.....
Eugene C. Hart, St. Joseph, Mich.—Chicago, Ill. ....	5	78	3	47	125	5	12	6	23	415	102	.....	.....
Chicago & South Haven Steamship Co., Chicago, Ill.:													
City of South Haven, Chicago, Ill.—South Haven.....	12	227	32	547	774	6	24	50	80	2,580	487	.....	.....
Petoskey, Chicago, Ill.—South Haven.....	7	115	8	107	222	5	15	30	50	740	115	.....	.....
Arnold Transit Co., Mackinac Island, Mich.:													
Chippewa, St. Ignace-Sault Ste. Marie.....	4	72	2	20	92	5	16	20	41	306	92	641	.....
Islander, Cheboygan-Les. Cheneaux Island.....	3	38	2	22	60	4	8	2	14	200	60	600	.....
Elva, Detour-Sault Ste. Marie.....	1	14	1	10	24	2	2	1	5	( <sup>2</sup> )	( <sup>2</sup> )	( <sup>3</sup> )	.....
Mackinac, Petoskey-Sault Ste. Marie.....	4	70	1	15	85	4	10	3	17	283	85	662	.....
Island Transportation Co., St. Ignace, Mich.:													
Algoma, St. Ignace-Cheboygan.....	5	80	2	30	110	4	10	2	16	366	94	618	.....
City of Cheboygan, St. Ignace-Mackinaw City.....	3	49	2	32	81	4	8	2	14	240	81	536	.....
The Goodrich Transit Co., Chicago, Ill.:													
Christopher Columbus, Chicago, Ill.—Milwaukee, Wis. ....	18	305	8	168	473	6	48	108	160	1,410	250	3,800	.....
Indiana, Chicago, Ill.—Milwaukee, Wis. ....	10	169	8	136	368	5	17	68	90	1,054	278	.....	.....
Iowa, Chicago, Ill.—Milwaukee, Wis. ....	7	156	6	136	292	5	17	70	92	679	200	.....	.....
Alabama, Chicago, Ill.—Grand Haven, Mich. ....	11	213	9	223	436	5	19	113	137	1,450	409	.....	.....
Virginia, Chicago, Ill.—Grand Haven, Mich. ....	10	189	14	270	459	5	19	70	94	1,471	365	.....	.....
Carolina, Chicago, Ill.—Mackinac Island.....	9	207	6	144	351	5	17	90	112	1,058	214	.....	.....
Arizona, Chicago, Ill.—Georgian Bay, Ontario.....	9	183	11	193	376	5	15	80	100	886	276	.....	.....
Georgia, Chicago, Ill.—Sault Ste. Marie.....	5	118	4	73	191	5	15	70	90	520	101	.....	.....
Chicago, Chicago, Ill.—Manitowoc, Wis. ....	7	129	4	68	197	5	17	60	82	522	115	.....	.....

<sup>1</sup>When operated on routes which are at all points within 5 miles of land or over waters whose depth is not sufficient to entirely submerge the vessel.

<sup>2</sup>Steamer, being equipped with wireless telegraphy may, while so equipped and when navigating in daylight only, and on routes which are at all points within 10 miles of land or over waters whose depth is not sufficient to entirely submerge the vessel.

<sup>3</sup>Rivers, 155.

TABLE A.—Present equipment under regulations of Steamboat-Inspection Service—Continued.

Name of vessel, and points between which operated.	Present equipment.					Present crew.				Number of persons carried.			
	Life-boats.	Persons allowed to life-boats.	Life rafts.	Persons allowed to life rafts.	Total number allowed to all boats and rafts.	Officers.	Crew connected with navigation.	Stewards' and other departments.	Total crew.	May 15 to Oct. 15.	Oct. 15 to May 15.	Five miles.	Ten miles.
Indiana Transportation Co., Chicago, Ill.:													
Theodore Roosevelt, Chicago, Ill.—Michigan City.....	15	277	70	605	882	6	32	31	69	2,940	277		
United States, Chicago, Ill.—Michigan City.....	9	166	46	411	577	5	22	23	50	1,920	204		
The Hill Steamship Line, Kenosha, Wis.:													
Maywood, Chicago, Ill.—Racine, Wis.....	4	74	1	20	94	4	8	3	15		91	637	
The Graham & Morton Transportation Co., Benton Harbor, Mich.:													
City of Grand Rapids, Chicago, Ill.—Holland, Mich.....	14	244	6	155	399	6	40	29	75	1,330	324		
Puritan, Chicago, Ill.—Holland, Mich.....	12	216	8	170	386	6	33	34	73	1,286	386		
Holland, Chicago, Ill.—St. Joseph, Mich.....	7	121	16	340	461	5	27	20	52	1,530	323		
City of Chicago, Chicago, Ill.—St. Joseph, Mich.....	9	156	22	515	671	5	18	33	56	2,140	298		
City of Benton Harbor, Chicago, Ill.—St. Joseph, Mich.....	10	183	33	712	895	6	25	17	48	2,845	306		
The Cleveland & Buffalo Transit Co., Cleveland, Ohio:													
Secandbee, Cleveland, Ohio—Buffalo, N. Y.....	19	504	34	510	1,014	8	58	95	161	3,207	1,002		
City of Buffalo, Cleveland, Ohio—Buffalo, N. Y.....	9	176	12	256	432	5	35	65	105	1,410	424		2,105
City of Erie, Cleveland, Ohio—Buffalo, N. Y.....	7	135	15	317	452	5	35	65	105	1,490	447		2,105
State of Ohio, Cleveland, Ohio—Port Stanley, Ontario.....	5	86	14	243	329	5	23	37	65	1,053	316		1,165
The Detroit & Cleveland Navigation Co., Detroit, Mich.:													
City of Detroit III, Detroit—Buffalo, N. Y.....	21	560	18	180	740	7	44	175	226	2,440	732	4,161	
City of Cleveland III, Detroit—Buffalo, N. Y.....	17	439	22	216	655	6	40	100	146	2,160	648		
Western States, Detroit—Cleveland, Ohio.....	15	392	16	256	648	6	32	100	138	2,140	642	2,333	
Eastern States, Detroit—Cleveland, Ohio.....	15	394	16	256	650	6	35	100	141	2,146	644	2,335	
City of St. Ignace, Detroit—Cleveland, Ohio.....	9	226	10	164	390	6	24	60	90	1,283	385	2,109	
City of Detroit II, Detroit—St. Ignace, Mich.....	9	224	11	173	397	6	30	60	96	1,303	391	2,196	
City of Alpena II, Detroit—St. Ignace, Mich.....	5	103	15	207	310	5	30	75	110	967	303		
City of Mackinac II, Detroit—St. Ignace, Mich.....	5	103	13	202	305	5	32	56	93	970	299		
State of New York, Detroit—Put-in-Bay.....	7	126	12	179	305	4	17	31	52	996	290	1,306	
Ashley & Dustin Steamer Line, Detroit, Mich.:													
Put-in-Bay, Detroit, Mich.—Sandusky, Ohio.....	7	126	17	205	331	4	24	76	104	1,079	325	3,250	
Frank E. Kirby, Detroit, Mich.—Sandusky, Ohio.....	7	116	3	57	173	4	17	20	41	556	167	{ 1,841 } { 1,041 }	

<sup>1</sup> When main deck is freight laden.<sup>2</sup> When main deck is not freight laden.

TABLE B.

[Senate bill. Lifeboats for all on board; no rafts (all year around); 2 officers or able seamen to each boat (25 persons to each boat).]

Name of vessel.	May 15 to Oct. 15.			Oct. 15 to May 15.			Shoal water.		
	Persons carried.	Life-boats necessary.	Able seamen or officers.	Persons carried.	Life-boats necessary.	Able seamen or officers.	Persons carried.	Life-boats necessary.	Able seamen or officers.
Octorara.....	435	18	36						
Junata.....	435	18	36						
Tionesta.....	435	18	36						
Americana.....	13,549	142	284	354	15	30	3,549	142	284
Canadiana.....	13,549	142	284	354	15	30	3,549	142	284
Eastland.....	2,120	85	170	645	26	52			
Eugene C. Hart.....	415	17	34	102	5	10			
City of South Haven.....	2,580	104	208	487	20	40			
Petoskey.....	740	30	60	115	5	10			
Chippewa.....	306	13	26	92	4	8	641	26	52
Islander.....	200	8	16	60	3	6	600	24	48
Elva.....							155	7	14
Mackinac.....	283	12	20	85	4	8	662	27	54
Algoma.....	366	15	30	94	4	8	618	25	50
City of Cheboygan.....	240	10	20	81	4	8	536	22	44
Christopher Columbus.....	1,410	57	114	250	10	20	3,800	152	304
Indiana.....	1,054	43	86	278	12	24			
Iowa.....	679	28	56	200	8	16			
Alabama.....	1,450	58	116	403	17	34			
Virginia.....	1,471	59	118	365	15	30			
Carolina.....	1,058	43	86	214	9	18			
Arizona.....	886	36	72	276	12	24			
Georgia.....	520	21	42	101	5	10			
Chicago.....	522	21	42	115	5	10			
Theodore Roosevelt.....	2,940	118	236	277	12	24			
United States.....	1,920	77	154	204	9	18			
Maywood.....				91	4	8	637	26	52
City of Grand Rapids.....	1,330	54	108	324	13	26			
Puritan.....	1,286	52	104	386	16	32			
Holland.....	1,530	62	124	323	13	26			
City of Chicago.....	2,140	86	172	298	12	24			
City of Benton Harbor.....	2,845	114	228	306	13	26			
Secandbee.....	3,207	129	258	1,002	41	82			
City of Buffalo.....	1,410	57	114	424	17	34	2,105	85	170
City of Erie.....	1,490	60	120	447	18	36	2,105	85	170
State of Ohio.....	1,053	43	86	316	13	26	1,165	47	94
City of Detroit III.....	2,440	98	196	732	30	60	4,161	167	334
City of Cleveland III.....	2,160	87	174	648	26	52			
Western States.....	2,140	86	172	642	26	52	2,333	114	228
Eastern States.....	2,146	86	172	644	26	52	2,335	114	228
City of St. Ignace.....	1,283	52	104	385	16	32	2,109	85	170
City of Detroit II.....	1,303	53	106	391	16	32	2,196	88	176
City of Alpena II.....	967	39	78	303	13	26			
City of Mackinac II.....	970	39	78	299	12	24			
State of New York.....	996	40	80	299	12	24	1,306	53	106
Put-in-Bay.....	1,079	43	86	325	13	26	3,250	130	260
Frank E. Kirby.....	556	23	46	167	7	14	{ 1,841 } { 1,041 }	34	68

<sup>1</sup> Route between May 15 and Oct. 15 in shoal water.<sup>2</sup> With main deck freight laden.<sup>3</sup> With main deck not freight laden.

TABLE C.—Equipment provided for in conference report.

Name of vessel.	May 15 to Sept. 15: Accommodation 50 per cent of persons carried—40 per cent lifeboats, 60 per cent life rafts; 25 persons to each boat; 15 persons to each raft.								Sept. 15 to May 15: Accommodations for all on board—75 per cent lifeboats, 25 per cent life rafts; 25 persons to each boat; 15 persons to each raft.								Shoal water: Regulations Board of Supervising Inspectors, 10 per cent—25 per cent lifeboats, 75 per cent life rafts; 25 persons to each boat; 15 persons to each raft.										
	Persons allowed to be carried.	Lifeboats necessary.	Persons allowed to lifeboats.	Life rafts necessary.	Persons allowed to life rafts.	Crew necessary to man lifeboats and rafts.			Persons allowed to be carried.	Lifeboats necessary.	Persons allowed to lifeboats.	Life rafts necessary.	Persons allowed to life rafts.	Crew necessary to man lifeboats and rafts.			Persons allowed to be carried.	Lifeboats necessary.	Persons allowed to lifeboats.	Life rafts necessary.	Persons allowed to life rafts.	Crew necessary to man lifeboats and rafts.					
						1 licensed officer or able seaman and 1 certificated lifeboat man.	1 certificated lifeboat man.	1 officer or able seaman.						Lifeboats and rafts, 3 certificated lifeboat men.	Officers or able seamen and 1 certificated lifeboat man.	Certificated lifeboat men.						Officers or able seamen.	Certificated lifeboat men.	Officers or able seamen and 1 certificated lifeboat man.	Certificated lifeboat men.	Officers or able seamen.	Certificated lifeboat men.
Octorara.....	435	4	100	8	120	8	8	12	36	435	13	325	8	120	26	8	21	63									
Junata.....	435	4	100	8	120	8	8	12	36	435	13	325	8	120	26	8	21	63									
Tionesta.....	435	4	100	8	120	8	8	12	36	435	13	325	8	120	26	8	21	63									
Americana.....	3,549	29	725	70	1,050	58	70	99	297	354	11	275	6	90	22	6	17	51	3,549	4	100	17	255	8	17	21	63
Canadiana.....	3,549	29	725	70	1,050	58	70	99	297	354	11	275	6	90	22	6	17	51	3,549	4	100	17	255	8	17	21	63
Eastland.....	2,120	17	425	43	645	34	43	60	180	645	20	500	10	150	40	10	30	90									
Eugene C. Hart.....	415	4	100	8	120	8	8	12	36	102	3	75	2	30	6	2	5	15									
City of South Haven.....	2,580	21	525	51	765	42	51	72	216	487	15	375	9	135	30	9	24	72									
Petoskey.....	740	6	150	15	225	12	15	21	63	115	4	100	1	15	8	1	5	15									
Chippewa.....	306	3	75	6	90	6	6	9	27	92	3	75	2	30	6	2	5	15	641	1	25	3	45	2	3	4	12
Islander.....	200	2	50	4	60	4	4	6	18	60	2	50	1	15	4	1	3	9	600	1	25	3	45	2	3	4	12
Elva.....																			155	1	25	3	45	2	3	4	12
Mackinac.....	283	3	75	5	75	6	5	8	24	85	3	75	1	15	6	1	4	12	662	1	25	3	45	2	3	4	12
Algoma.....	366	3	75	8	120	6	8	11	33	94	3	75	2	30	6	2	5	15	618	1	25	3	45	2	3	4	12
City of Cheboygan.....	240	2	50	5	75	4	5	7	21	81	3	75	1	15	6	1	4	12	536	1	25	2	30	2	2	3	9
Christopher Columbus.....	1,410	12	300	27	405	24	27	39	117	250	8	200	4	60	16	4	12	36	3,800	4	100	17	285	8	17	21	63
Indiana.....	1,054	9	225	21	315	18	21	30	90	278	9	225	4	60	18	4	13	39									
Iowa.....	679	6	150	13	195	12	13	19	57	200	6	150	4	60	12	4	10	30									
Alabama.....	1,450	12	300	29	435	24	29	41	123	409	13	325	6	90	26	6	19	57									
Virginia.....	1,471	12	300	30	450	24	30	42	126	365	12	300	5	75	24	5	17	51									
Carolina.....	1,058	9	225	21	315	18	21	30	90	214	7	175	3	45	14	3	10	30									
Arizona.....	886	8	200	17	255	16	17	25	75	276	9	225	4	60	18	4	13	39									
Georgia.....	520	5	125	9	135	10	9	14	42	101	4	100	1	15	8	1	5	15									
Chicago.....	522	5	125	10	150	10	10	15	45	115	4	100	1	15	8	1	5	15									
Theodore Roosevelt.....	2,940	24	600	58	870	48	58	82	246	277	9	225	4	60	18	4	13	39									
United States.....	1,920	16	400	38	570	32	38	54	162	204	7	175	3	45	14	3	10	30									
City of Grand Rapids.....	1,330	11	275	26	390	22	26	37	111	324	10	250	5	75	20	5	15	45									
Puritan.....	1,286	11	275	25	375	22	25	36	108	386	12	300	6	90	24	6	18	54									
Holland.....	1,530	13	325	30	450	26	30	43	129	323	10	250	5	75	20	5	15	45									
City of Chicago.....	2,140	18	450	42	630	36	42	60	180	298	9	225	5	75	18	5	14	42									
City of Benton Harbor.....	2,845	23	575	57	855	46	57	80	240	306	10	250	4	60	20	4	14	42									
Seandee.....	3,207	26	650	64	960	52	64	90	270	1,062	31	775	16	240	62	16	47	141									
City of Buffalo.....	1,410	12	300	27	405	24	27	39	117	424	13	325	7	105	28	7	20	60	2,105	3	75	10	150	6	10	13	39
City of Erie.....	1,490	12	300	30	450	24	30	42	126	447	14	350	7	105	28	7	21	63	2,105	3	75	10	150	6	10	13	39
State of Ohio.....	1,053	9	225	21	315	18	21	30	90	316	10	250	5	75	20	5	15	45	1,165	2	50	5	75	4	5	7	21
City of Detroit III.....	2,440	20	500	48	720	40	48	68	204	732	22	550	13	195	44	13	35	105	4,161	5	125	20	300	10	20	25	75
City of Cleveland III.....	2,160	18	450	42	630	36	42	60	180	648	20	500	10	150	40	10	30	90									
Western States.....	2,140	18	450	42	630	36	42	60	180	642	20	500	10	150	40	10	30	90	2,333	3	75	11	165	6	11	14	42
Eastern States.....	2,146	18	450	42	630	36	42	60	180	644	20	500	10	150	40	10	30	90	2,335	3	75	11	165	6	11	14	42
City of St. Ignace.....	1,283	11	275	25	375	22	25	36	108	385	12	300	6	90	24	6	18	54	2,109	3	75	10	150	6	10	13	39
City of Detroit II.....	1,303	11	275	26	390	22	26	37	111	391	12	300	7	105	24	7	19	57	2,198	3	75	11	165	6	11	14	42
City of Alpena II.....	967	8	200	19	285	16	19	27	81	303	10	250	4	60	20	4	14	42									
City of Mackinac II.....	970	8	200	19	285	16	19	27	81	299	9	225	5	75	18	5	14	42									
State of New York.....	996	8	200	20	300	16	20	28	84	299	9	225	5	75	18	5	14	42	1,306	2	50	6	90	4	6	8	24
Put-in-Bay.....	1,079	9	225	21	315	18	21	30	90	325	10	250	5	75	20	5	15	45	3,250	4	100	15	225	8	25	19	57
Frank E. Kirby.....	556	5	125	11	165	10	11	16	48	167	6	150	2	30	12	2	8	24	841	1	25	5	75	2	5	6	18
Maywood.....									91	3	75	2	30	6	2	5	15	637	1	25	3	45	2	3	4	12	

1 Route on shoal water.

2 With main deck freight laden.

3 With main deck not freight laden.

I do not see any occasion to discuss the bill further at this time, as I had occasion to discuss the various provisions of the bill somewhat in detail in my report accompanying S. 136, made to the House on the 19th day of June last.

The SPEAKER. The time of the gentleman from Missouri has expired. All time has expired. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

## LEAVE OF ABSENCE.

By unanimous consent, Mr. HAMILTON of New York was granted leave of absence for the remainder of the week, on account of illness.

## ADDITIONAL JUDGE FOR SOUTHERN DISTRICT OF GEORGIA.

The SPEAKER. Yesterday the Chair appointed the gentleman from Maine, Mr. MCGILLICUDDY, one of the conferees on the bill providing for an additional judge for the southern district of Georgia. Mr. MCGILLICUDDY reports that he can not serve, because he is so busy with other matters. The Chair

therefore appoints the gentleman from Arkansas, Mr. FLOYD, in his stead.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 12303. An act to amend section 3246 of the Revised Statute of the United States as amended by section 5 of the act of March 1, 1879.

The message also announced that the Senate had insisted upon its amendments to the bill H. R. 17869, entitled "An act providing for the appointment of an additional district judge for the southern district of the State of Georgia, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULBERSON, Mr. SMITH of Georgia, and Mr. CLARK of Wyoming as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 2642, entitled "An act authorizing the President to

reinstate Joseph Elliot Austin as an ensign in the United States Navy."

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. PAGE of North Carolina. Mr. Speaker, I call up the conference report on the bill H. R. 19422, the District of Columbia appropriation bill, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from North Carolina calls up the conference report on the District appropriation bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MADDEN. Mr. Speaker, I desire to make a point of order against the report, and I object.

Mr. FITZGERALD. I suggest to the gentleman that we dispense with the reading of the report and then he may make his point of order.

Mr. MANN. We have to read either one or the other, and one is about as long as the other.

The SPEAKER. The Clerk will read the report.

Mr. MADDEN. Mr. Speaker, I reserve all points of order.

The SPEAKER. The Chair understands that and will protect the gentleman in his rights.

The Clerk read the conference report, as follows:

CONFERENCE REPORT (NO. 1438).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 7, 8, 14, 16, 17, 25, 27, 28, 30, 32, 35, 37, 39, 43, 46, 48, 52, 58, 59, 64, 67, 68, 73, 75, 76, 77, 79, 85, 89, 99, 103, 111, 112, 118, 119, 120, and 121.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, 9, 10, 11, 12, 13, 15, 19, 20, 29, 31, 33, 34, 38, 40, 44, 45, 47, 49, 50, 53, 55, 57, 60, 61, 66, 69, 70, 71, 72, 80, 82, 83, 84, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 100, 102, 106, 107, 108, 109, 115, 116, 123, 124, 126, 127, and 128, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$47,576"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment and, on page 17 of the bill, line 7, strike out the words "force and"; and in line 8 strike out the words "fire department"; and in line 7, after the word "police," insert the following: "crossing police, park police, and fire department"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For constructing market buildings on the site of the present municipal fish wharf and market, including refrigerating and cold-storage plant, which shall be equipped for the accommodation of such retail business as may obtain at that point and shall serve as the wholesale receiving and distributing point for marine and other products to be retailed elsewhere in the District, within a limit of cost of \$185,000, which is hereby fixed, \$125,000."

And the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$110,700"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$12,700"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$28,500"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and

agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$29,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$118,700"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$160,800"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$49,015"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: On page 33 of the bill, line 6, strike out "\$124,000" and insert in lieu thereof "\$119,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$27,500"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment strike out the following: "to be immediately available"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter all pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of said District, and hereafter the members of the board of education shall be appointed by the Commissioners of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$48,600"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lines 4, 5, and 6 of the matter inserted by said amendment strike out the following: "; but no person so removed shall be reappointed to any position in said fire department"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$131,800"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$45,932"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,600"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Gallinger Hospital: Toward the construction and equipment of the Gallinger Hospital, including grading of the site, \$150,000, and the limit of cost of the construction of said hospital and accessory buildings, and equipment, is hereby fixed at \$1,000,000."

And the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80,000"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$96,080"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "\$6,000"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and, on page 73 of the bill, in line 4, strike out the following: "and of the United States"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

**"ANACOSTIA RIVER FLATS.**

"For continuing the reclamation and development of the Anacostia River and Flats from the Anacostia Bridge northeast to the District line, to be expended for the purposes and under the conditions specified in the item for this improvement contained in the District of Columbia appropriation act for the fiscal year 1915, \$100,000; and authority is hereby granted to the Chief of Engineers, United States Army, to enter into a contract or contracts for and on account of said work in an amount not exceeding \$100,000, exclusive of the amount herein appropriated."

And the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 1, 51, and 105.

ROBERT N. PAGE,

T. U. Sisson,

C. R. DAVIS,

*Managers on the part of the House.*

JOHN WALTER SMITH,

LUKE LEA,

J. H. GALLINGER,

*Managers on the part of the Senate.*

The statement is as follows:

**STATEMENT.**

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

Nos. 2, 3, and 4, relating to the auditor's office: Strikes out the increase of \$200 in the salary of the property survey officer, proposed by the Senate, and increases the pay of one clerk from \$900 to \$1,000.

Nos. 5 and 6: Appropriates \$240, as proposed by the Senate, for a laborer at \$40 per month at the fish wharf and market.

Nos. 7 and 8: Strikes out the changes in designation of employees and of the title of the office of the superintendent of weights, measures, and markets.

Nos. 9 and 10: Increases the pay of one clerk in the municipal architect's office from \$620 to \$720.

Nos. 11 and 12: Increases the amount for incidental expenses of the Public Utilities Commission from \$2,799 to \$4,090, as proposed by the Senate.

No. 13: Inserts the authority, proposed by the Senate, for hire and care of teams for the surveyor's office.

No. 14: Strikes out the allowance of \$300, proposed by the Senate, for traveling expenses of the librarian of the Free Public Library.

No. 15: Increases the amount for motor vehicles from \$14,534 to \$15,284, as proposed by the Senate.

Nos. 16 and 17: Strikes out the authority, proposed by the Senate, for maintenance of telephones in the residences of the engineer of the water department, the master mechanic of the water department, and the assistant superintendent of the street-cleaning division.

No. 18: Restores the provision, stricken out by the Senate, and requires the street railway companies to transport free of charge members of the Metropolitan police, crossing police, park police, and fire department when in uniform and in the performance of their duties.

No. 19: Increases the amount for advertising notice of taxes in arrears from \$2,500 to \$3,500, as proposed by the Senate.

No. 20: Appropriates \$4,500, as proposed by the Senate, for metal file cases for the office of the register of wills.

No. 21: Appropriates \$125,000 toward market buildings on the site of the present municipal fish wharf and market and fixes the ultimate cost of such buildings at \$185,000.

Nos. 22, 23, 24, 25, 26, 27, 28, 29, and 30, relating to work on streets and avenues: Appropriates \$110,000, instead of \$89,400 as proposed by the House and \$160,400 as proposed by the Senate; makes an allotment of \$12,700 for the northwest section schedule, instead of \$6,400 as proposed by the House and \$18,900 as proposed by the Senate; allots \$23,500 for the southwest section schedule, instead of \$18,500 as proposed by the House and \$34,000 as proposed by the Senate; allots \$35,300, as proposed by the House, instead of \$63,000, as proposed by the Senate, for the southeast section schedule; allots \$29,000, instead of \$24,000 as proposed by the House and \$39,000 as proposed by the Senate, for the northeast section schedule; fixes July 1, 1886, as the date for determining the quality of asphalt pavement to be relaid, as proposed by the House, instead of July 1, 1914, as proposed by the Senate; fixes July 1, 1904, as the date for determining the quality of asphalt block pavement to be laid, as proposed by the House, instead of July 1, 1914, as proposed by the Senate; increases the width of pavement of the roadway of Tenth Street NW. from Pennsylvania Avenue to the south side of B Street from 40 to 45 feet, as proposed by the Senate; and strikes out the appropriation of \$18,000, proposed by the Senate, for repaving P Street NW. between Twenty-eighth Street and Wisconsin Avenue.

Nos. 31, 32, 33, 34, 35, and 36, relating to construction of suburban roads: Strikes out the provision requiring the Chesapeake & Ohio Canal Co. to pay one-half of the cost of the retaining wall on the south side of Canal Road; strikes out the appropriation of \$30,000 for the improvement of Connecticut Avenue from Tilden Street to Grant Road; inserts \$6,000 for grading Albemarle Street from Connecticut Avenue to Reno Road; inserts \$9,400 to grade and improve Kenyon Street from Georgia Avenue to Park Road; and strikes out the appropriation of \$4,200 for grading and improving Benning Road from the end of macadam to Central Avenue.

No. 37: Strikes out the increase of \$15,000, proposed by the Senate, in the appropriation for repairs to suburban roads.

Nos. 38 and 39: Increases the appropriation for construction and repair of bridges from \$20,000 to \$22,000, as proposed by the Senate, and provides that the amounts collected from railways for repair of bridges carrying streets over their rights of way shall be deposited in the Treasury to the credit of the United States and the District of Columbia in equal parts, as proposed by the House.

Nos. 40, 41, 42, and 43, relating to sewers: Appropriates \$75,000, as proposed by the Senate, instead of \$67,500, as proposed by the House, for main and pipe sewers and receiving basins; appropriates \$160,800, instead of \$145,100 as proposed by the House and \$175,000 as proposed by the Senate, for suburban sewers; appropriates \$2,000, instead of \$1,000 as proposed by the House and \$2,500 as proposed by the Senate, for rights of way for sewers; and strikes out the authority, inserted by the Senate, to make the sum of \$50,000 for the Anacostia main interceptor "available until expended."

Nos. 44 and 45: Appropriates \$280,000, as proposed by the Senate, instead of \$270,000, as proposed by the House, for sprinkling and cleaning streets; and increases the allowance to inspectors for maintenance of horses and vehicles or motor vehicles from \$25 to \$27.50 per month each, as proposed by the Senate.

No. 46: Strikes out the increase in the appropriation for disposal of city refuse from \$179,945 to \$190,160, proposed by the Senate.

No. 47: Provides that \$5,000 of the appropriation of \$45,000 for the parking commission shall be immediately available.

No. 48: Restores the provision, proposed by the House, providing for the sale of public scales and strikes out the appropriation of \$200, proposed by the Senate, for replacement and repair of public scales.

Nos. 49 and 50: Inserts the appropriation of \$3,750, inserted by the Senate, for the equipment of the Georgetown playground.

Nos. 52, 53, 54, and 55, relating to the electrical department: Provides an additional telephone operator at \$540; strikes out the increase of \$250, proposed by the Senate, in the salary of

the electrical engineer; and provides that the commissioners may maintain part of the lamps on any street, avenue, and alley for a shorter period each night after 1 o'clock a. m. than is now required by law.

Nos. 56, 57, and 58, relating to the Washington Aqueduct: Appropriates \$119,000 instead of \$124,000 for operation, maintenance, and repair of the aqueduct; inserts the sum of \$5,000, proposed by the Senate, for repair, grading, and maintenance of Conduit Road, and strikes out authority to do such work on Conduit Road from the general appropriation; strikes out the sum of \$23,750, proposed by the Senate, for the purchase and installation of water meters on water services to United States buildings, reservation, and grounds.

No. 59: Appropriates \$18,000, as proposed by the House, instead of \$20,000, as proposed by the Senate, for care and improvement of Rock Creek Park.

Nos. 60, 61, 62, 63, 64, 65, 66, 67, and 68, relating to the public schools: Increases the pay of a special beginning teacher in the normal school from \$800 to \$900, as proposed by the Senate; appropriates \$27,500, instead of \$25,000, as proposed by the House, and \$30,000, as proposed by the Senate, for furniture, apparatus, tools, etc., for use in manual training; appropriates \$50,000, as proposed by the Senate, for equipment and furnishings for the Western High School, and strikes out authority to make the amount immediately available; strikes out the sum of \$2,000, proposed by the Senate, for temporary personal services; inserts the provision, proposed by the Senate, which requires that all pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of the District, and modifies the amendment so as to provide that hereafter members of the board of education shall be appointed by the commissioners; appropriates \$66,000, as proposed by the Senate, for an eight-room addition to the Powell School; strikes out the authority, proposed by the Senate, permitting the commissioners to close public areas which may lie wholly within the boundaries of any site purchased for the Eastern High School; and strikes out the paragraph, inserted by the Senate, making any unexpended balance remaining of the appropriation for the purchase of the site for the Eastern High School available for putting the site in a suitable condition for the uses for which it was purchased.

Nos. 69, 70, 71, 72, 73, and 74, relating to the Metropolitan police: Increases the number of privates detailed for special service in the detection and prevention of crime from 20 to 24, as proposed by the Senate; increases the sum for maintenance of motor vehicles from \$5,000 to \$6,000, as proposed by the Senate; strikes out the appropriation of \$5,000, proposed by the Senate, for reconstruction of cell corridors and the construction of modern locking devices in the second precinct station house.

Nos. 75, 76, 77, 78, 79, 80, 81, 82, and 83, relating to the fire department: Strikes out the increase in salary and the additional employments, proposed by the Senate; inserts the paragraph, proposed by the Senate, relative to the removal of members of the fire department modified so as to not prevent the reappointment of any person removed; appropriates \$15,000, as proposed by the House, instead of \$8,000, as proposed by the Senate, for repairs to apparatus and motor vehicles and apparatus; appropriates \$35,000, as proposed by the Senate, instead of \$32,250, as proposed by the House, for forage; and appropriates \$12,000, as proposed by the Senate, for two motor-driven combination chemical and hose wagons.

Nos. 84, 85, 86, 87, 88, and 89, relating to the health department: Appropriates \$1,000, as proposed by the Senate, for repairs to the smallpox hospital and administration building; strikes out the sum of \$1,800, inserted by the Senate, for extension of water mains to provide fire protection to the smallpox hospital; increases the sum for maintaining the bacteriological laboratory from \$300 to \$1,000, as proposed by the Senate; inserts the appropriation of \$3,335, proposed by the Senate, for apparatus, equipment, and maintenance of the chemical laboratory; inserts the provision, proposed by the Senate, relative to the examination and inspection of milk shipped into the District from adjoining States; and strikes out the appropriation of \$2,000, inserted by the Senate, for repairing the public crematory.

Nos. 90 and 91: Increases the appropriation for fees of witnesses for the police court from \$3,000 to \$3,250, as proposed by the Senate.

No. 92: Increases the appropriation for support of convicts from \$80,000 to \$90,000, as proposed by the Senate.

Nos. 93, 94, 95, 96, 97, and 98, relating to the Washington Asylum and Jail: Appropriates for an X-ray machine operator at \$600, a pathologist at \$600, and an anesthetist at \$300, as proposed by the Senate; provides \$2,750 for the purchase of an

X-ray machine and \$1,000 for the purchase of pathological equipment, as proposed by the Senate; and increases the amount for destitute women and children from \$5,000 to \$6,000, as proposed by the Senate.

Nos. 99, 100, and 101, relating to the Home for Aged and Infirm: Strikes out the appropriation of \$4,875, inserted by the Senate, for purchase of two electric generators, and inserts \$500, proposed by the Senate, for a permanent fence.

Nos. 102, 103, and 104, relating to the National Training School for Girls: Appropriates \$220, as proposed by the Senate, for repairs to buildings, and strikes out the sum of \$250, inserted by the Senate, for remodeling fire escapes.

Nos. 106, 107, 108, and 109, relating to the Tuberculosis Hospital: Increases the pay of the resident physician from \$480 to \$600 and the pay of two ward maids from \$180 to \$240 each, as proposed by the Senate.

No. 110: Appropriates \$150,000 toward the construction of Gallinger Hospital and fixes the limit of cost of the hospital, the accessory buildings, and equipment at \$1,000,000.

Nos. 111, 112, 113, and 114, relating to the Board of Children's Guardians: Strikes out the additional placing officer at \$1,000, proposed by the Senate; appropriates \$60,000, instead of \$55,000 as proposed by the House and \$65,000 as proposed by the Senate, for board and care of all children.

Nos. 115 and 116: Appropriates \$2,000, as proposed by the Senate, for a new boiler for the Industrial Home School.

No. 117: Appropriates \$6,000, instead of \$10,000, as proposed by the Senate, for the Southern Relief Society.

Nos. 118, 119, and 120: Strikes out the appropriations, inserted by the Senate, of \$5,000 each for the Aid Associations for the Blind and the Columbia Polytechnic Institute.

Nos. 121 and 122, relating to the reformatory: Appropriates \$15,000 for the reformatory in the language proposed by the House, instead of \$50,000 in the language proposed by the Senate; strikes out the provision, inserted by the Senate, relative to the sale of workhouse and reformatory products and modifies the provision of the bill as passed by the House so as to limit the sale of such products to departments and institutions of the government of the District of Columbia.

Nos. 123 and 124, relating to the militia: Appropriates \$30,000, as proposed by the Senate, instead of \$25,900, as proposed by the House, for expenses of camps, practice marches, etc.; and increases the appropriation for expenses of target practice and matches from \$1,250 to \$2,500, as proposed by the Senate.

No. 125: Appropriates \$100,000, as proposed by the Senate, for the reclamation and development of the Anacostia River and Flats.

Nos. 126 and 127, relating to the water department: Increases the pay of one clerk from \$1,500 to \$1,800, as proposed by the Senate.

No. 128: Inserts the authority, proposed by the Senate, for the payment of "engineering and other" expenses from the "miscellaneous trust fund" appropriation account.

The committee of conference have been unable to agree on the following amendments of the Senate:

No. 1: Relating to the proportion of appropriations to be paid, respectively, from the Treasury of the United States and the revenues of the District of Columbia.

No. 51: Relating to the appropriation of \$18,000 for the construction of a new public convenience station at the intersection of Fifteenth Street and Maryland Avenue and H Street NE.

No. 105: Relating to the appropriation of \$50,000 for the construction of a new building for the Central Dispensary and Emergency Hospital.

ROBERT N. PAGE,  
T. U. Sisson,  
C. R. Davis,

*Managers on the part of the House.*

Mr. MADDEN. Mr. Speaker, I make the point of order against the language in line 3, page 3, of the report, after the word "District":

And hereafter members of the Board of Education shall be appointed by the Commissioners of the District of Columbia.

Mr. PAGE of North Carolina. Does the gentleman make the point of order or reserve it?

Mr. MADDEN. Mr. Speaker, I will reserve the point of order if the gentleman desires to discuss it.

Mr. PAGE of North Carolina. I would like to have the gentleman reserve his point of order for a moment.

Mr. MADDEN. Very well.

Mr. PAGE of North Carolina. Mr. Speaker, I am inclined to think that the gentleman's point of order is well taken, but I want to say to the House in that connection—and I do not know whether it will affect the gentleman's attitude or not—that the

members of the school board for the District of Columbia under existing law, and for that reason I am frank to say I think the gentleman's point of order is well taken, are appointed by the members of the Supreme Court of the District of Columbia. Just why this was done a few gentlemen on the floor know possibly better than I do, and I shall not enter into a discussion of the reasons leading up to the enactment of that law. But I do know the results that have followed that legislation and this method of appointing the members of the school board of the District of Columbia. It removes the members of the school board absolutely from under any control or supervision of the governing board of the District, the commissioners. The members of the school board have complete control over the management of the schools of the District of Columbia. The members of the Board of Commissioners are appointed by the President and confirmed by the Senate. All of this has resulted in such a condition that no committee of this House, in spite of the most diligent efforts, has been able for three years to receive any report from this board of education relating to school questions, and your conference committee on the part of the House, meeting with the approbation of the conferees on the part of the Senate, believe that the only way the schools could be brought under the supervision of the Congress was to have the members of the board appointed by the Commissioners of the District, who have to deal with the Congress. For that reason, believing that it was in the interest of good administration of the schools of the District and good administration otherwise, the conferees have placed this in their report, fully conscious of the fact that it might be made the subject of a point of order, and I very much hope that the gentleman from Illinois, who I know has at heart the good of the school system of the city of Washington, will not insist upon his point of order and that this change may be made in the law so that the school system of the District may be more efficiently administered and that they may be accountable to somebody, and that there will be some way in which to reach them.

Mr. MADDEN. Mr. Speaker, I recollect very well when the transfer of the power was made from the District Commissioners to the Supreme Court of the District to make these appointments. It so happened that the then District Commissioners were appointed by a Republican President, and this change was made in the form of a trade with one or two Democratic Members of the House, members of the Committee on Appropriations, who believed that they had influence enough with the judges who were to make the appointments not to appoint men of a certain race.

Mr. PAGE of North Carolina. Will the gentleman yield for a moment?

Mr. MADDEN. Yes, sir.

Mr. PAGE of North Carolina. Were not the judges of the Supreme Court also appointed by a Republican President?

Mr. MADDEN. Yes; but wait. It so happened that the agreement that was had was had with a court totally different from the court which was finally given power in the bill, and they did not keep what was said to be an agreement, because they did not understand anything about the agreement. But it now happens that the District Commissioners are men who would probably carry out the agreement that was supposed to have been entered into at that time, if they had the power to make the appointment. I believe that the members of the board of education ought not to be in politics, either directly or indirectly, and that they ought not to be appointed by any political power, and that the appointments made as they are now keep them further away from politics than they could be kept if they should happen by any chance to be appointed by the District Commissioners. Hence, believing that the power rests where it should and where it is giving the best results, I feel constrained to insist upon the point of order.

Mr. PAGE of North Carolina. Will the gentleman yield for a moment?

Mr. MADDEN. Yes.

Mr. PAGE of North Carolina. Has the gentleman thought of this phase of the present law? It was suggested to me by one of the members of the Supreme Court of the District of Columbia—and in that connection I want to say that the Commissioners of the District of Columbia are not, so far as I know, in favor of this legislation on this conference report; they have never said so to me if they are—but several members of the supreme bench in the District of Columbia have suggested that the matter is none of their business as a court, and they doubted seriously whether or not that Congress should place this obligation upon them.

Mr. MADDEN. I will say to the gentleman that in the State from which I come the legislature grants the power to circuit judges of our State to appoint the members of park commis-

sions and boards of that character except one, and this board is appointed by the governor of the State, and we find that the men who are appointed by the courts are absolutely out of politics, and in my judgment the management of the parks under their jurisdiction is superior to the management of the parks where the commissioners are appointed as a result of politics, and we are waiting for the day to come when every appointment of the class that I have described will be made by the courts.

Mr. PAGE of North Carolina. I could convince the gentleman privately that instead of taking the appointment by these commissioners out of politics, by placing the appointment in the hands of the Supreme Court they are kept in politics.

Mr. MADDEN. Well, I can not understand how a man, as a judge appointed for life, would allow himself to be influenced by politics, but I can understand how a man appointed to a political job, holding that job during the administration that appointed him, might and probably would be affected by politics.

Mr. CLARK of Missouri. Will the gentleman yield to me for a minute or two?

Mr. MADDEN. Certainly.

Mr. CLARK of Missouri. Of course I have not taken any part on the floor on the point of order, but I want to straighten out the historical facts. The truth about this transfer of the power to appoint the school board from one set of men to another was simply one feature in the fight for the reorganization of the whole school system of the District of Columbia. The history of the transaction is that a boy, 13 years old, was the cause of that fight. My son came to me one night, said that two of his teachers wanted to come and see me, and he wanted me to treat them well. You get very tired of these people legging around here sometimes, and you grow somewhat cross with them sometimes, and they frequently have no claim whatever to any consideration. So I told him I would see them. The two women came down the next night. They had a real grievance, and they had it worked out with the facts and figures. They demonstrated that the whole school system of this District was top-heavy; that the upper ones, these high ones anyway, were getting more pay in proportion than the ones below. So I participated in the debate next day, and the gentleman from Michigan, Mr. Gardner, I think, was controlling the thing, or Mr. McCleary—

Mr. MADDEN. It was Mr. Morrell, of Pennsylvania.

Mr. CLARK of Missouri. Anyhow, it came so we were about to get what we wanted, and then finally he promised me that if I would withdraw the opposition to the bill the next year they would fix it somewhat on the basis that Mr. Cochran, of New York, Mr. Goulden, and myself wanted it fixed. I do not think there was a particle of politics in it. The commissioners were Republicans, those judges were Republicans, and everybody was tired of that old school board and wanted to get rid of it. We wanted to get rid of it, but we thought these commissioners would reappoint that school board.

And while I never liked to give this power to the judges of the Supreme Court of the District of Columbia, and thought it was ultra vires and clear out of their line of business, we could not think of anybody else on whom to confer the power. There was no politics in it. It was simply for the good of the community.

Mr. PAGE of North Carolina. The result has been, if the gentleman will permit me, whatever may have been the intention—and, of course, the Speaker knows the facts that he has related—to absolutely remove the school system of the District of Columbia from the control of the Congress of the United States. And it will be so as long as they owe their appointment to a body that is appointed for life and is itself not answerable to the Congress of the United States. And if the gentleman wants to continue the former condition of affairs of the District of Columbia, he is proceeding now to do it.

Mr. MADDEN. I am very sorry that I can not agree with my friend from North Carolina [Mr. PAGE], but I do not see it as he does.

Mr. GOULDEN. Mr. Speaker, I ask the gentleman to yield for a moment. I find in going back to April 23, 1906, that what the Speaker says is absolutely correct. And, being recently from New York City, where I had served as a commissioner of education, when I landed here the teachers and others interested in school matters immediately secured my attention in the matter of improvement of the public schools. In connection with our late lamented colleague, Mr. Foster of Vermont, I undertook the contract. Both of us introduced bills. I will never again undertake another like it, for it took much of my time during four years following. However, the matter came up and the greatest opposition we had to relieving the school

system of the top-heaviness to which the Speaker has alluded were the District Commissioners, and we determined to put them out of it so far as the schools were concerned. And Mr. Foster offered the amendment that took the power away from the Board of Commissioners and put it into the hands of the judges of the Supreme Court of the District of Columbia, and we carried it. There was not a bit of politics in it at the time, because Mr. Foster was a very ardent Republican, and, I hope, I was an equally ardent Democrat. I do not think it was a mistake then; not a bit of it; but I believe, with the present Board of Commissioners, a new set of public officials, and with the great importance of the school system, greatly improved the last eight years, we might very properly, I think, go back to the old system of allowing the Board of Commissioners of the District of Columbia to make the appointments, especially as the judges of the district wish to be relieved of the responsibilities.

Mr. MADDEN. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. Sisson. Mr. Speaker, your conferees agreed to this item in the bill with this amendment; and if it had not been for the amendment I think I know what I say when I tell you I would not have agreed to the present amendment of the Senate. The language to which the gentleman from Illinois [Mr. Madden] makes objection is the language that we were desirous of having in the bill. Now, I think if you gentlemen were on the Appropriations Committee and on this subcommittee you would feel about it like the conferees of the House and the Senate feel. I do not believe that any man who knows the conferees of the Senate would believe that they would agree to anything that was not for, as they thought, the good of the school system of this District. Now, so far as your House conferees were concerned, I feel that I speak the sentiment of all of them when I say to you that we have at heart as much as the three Senators the good of the schools of the District. But we do not feel it is proper that we should lose absolute control of the school system of the District of Columbia, as we have done. As was explained to the House by the gentleman from North Carolina [Mr. Page], as chairman of the conferees on the part of the House, we know nothing about how this money is expended. We can get no report. No report has been made to us for three years, and the judges do not feel it is their duty to do it. They feel they have enough of other duties to perform without devoting their time and attention to the internal plans of the public schools of this District. The result is that the trustees appointed by them have their own way. They are appointed by the judges; and the judges, having all their time, as they say, taken up, can not devote all their attention to the public schools, and therefore they leave it entirely in the hands of the trustees whom they appoint, and the trustees decline to make a report to the District Commissioners, who are appointed and under the control of Congress, and from whom we get no report. And the Senate as well as the House agrees that this is a good amendment.

I want to say this to the gentleman from Illinois [Mr. Madden] that my understanding of the parliamentary status is that if your point of order is sustained the whole conference report goes out. Is that true, Mr. Speaker?

The SPEAKER. That is true.

Mr. Sisson. Now, what I want is to be sure that the whole item goes out, and I presume that, with the whole conference report, will go out, and that will leave the bill just where it was when it went into conference, with your conferees' hands untied in reference to the item itself to which we agree with this amendment. And if the Chair sustains the gentleman's point of order, my understanding is that the House has lost nothing so far as the first part of the item is concerned.

The SPEAKER. Does the gentleman insist on his point of order?

Mr. MADDEN. I want to yield first to the gentleman from New York [Mr. Platt] one minute.

Mr. PLATT. I want to read, Mr. Speaker, the last speech made by my colleague, Mr. Payne, in this House on the 10th of December, the day of his death. It consisted of about 15 lines, in which he said:

Mr. Chairman, I want to say to the gentleman that I am very much interested in his discussion of this question, and also his proposition to investigate it. I remember very well when this change was made, during a wave of reform that passed over the House. Nothing could stop it, because some gentlemen had some difficulty with the members of the old school board as it then existed, and it was claimed that everything was to be happy and lovely if they could get these appointments made by the supreme court. It seemed to me at the time that the members of the Supreme Court of the District were the last persons in the world to make these appointments, and while some of us fought it and voted against it, yet the reform, so called, prevailed.

Mr. MADDEN. Mr. Speaker, the gentleman from Maryland [Mr. Lenthicum] wants a minute.

Mr. LENTHICUM. Mr. Speaker, I hope the gentleman from Illinois will not insist upon this point of order, because it throws out the entire amendment. I am particularly interested in this amendment, because it provides that the children living in my State and around the District may come here and attend the public schools.

It is an injustice that children of parents working in the District of Columbia but living in Maryland should be debarred from a schooling in Washington without paying a tuition fee therefor. The parents of most of the children affected by that change have gone on the outskirts of the District for the pure air and open surroundings of the country, where they may have a few chickens and a small vegetable garden, acquire a vote, and buy a home at a price within their reach. I deny that the schooling of these children works a hardship upon the taxpayers of the District of Columbia. One-half the cost of maintaining the District schools is borne by the National Government. As offsetting the other half, I would recall that the trade of the great majority of these people is almost exclusively with Washington merchants. Indeed, so closely identified are these people with the social and business interests of Washington that they feel themselves nearly as much residents of the District as of Maryland. Washington is the center of their interests. They read its papers, attend its churches and theaters, and welcome their Washington friends into Maryland, who make our State, particularly during the summer, a pleasure ground. We do not believe the people of Washington think the schooling of these children much of an injustice to them.

Mr. MADDEN. This would not discriminate against them.

Mr. LENTHICUM. This would throw out the entire amendment.

Mr. MADDEN. It leaves it open for the conferees to fix that part of it, though.

Mr. LENTHICUM. I know that; but if he would not insist on the point of order at this time, that vexatious question would be closed and children would be able to come into the District and attend school when their parents are officially or otherwise employed in the District.

The SPEAKER. The gentleman from Maryland [Mr. Lenthicum] is mistaken about the effect. It is this part that the conferees put in.

Mr. LENTHICUM. I think I understand about that, Mr. Speaker, but if the gentleman from Illinois insists on the point of order, the entire conference report goes out.

The SPEAKER. Of course it does. The whole thing goes back to the conferees.

Mr. LENTHICUM. I am aware of that; but the session is getting very short, and I would like to see this thing closed up now, so that these children will be provided for whenever their parents are officially or otherwise employed in the District of Columbia.

Mr. MADDEN. If the gentleman from Maryland will possess his soul in patience, the matter will be properly taken care of. In the meantime, Mr. Speaker, I make a point of order against it.

The SPEAKER. The point of order is sustained.

Mr. PAGE of North Carolina. Mr. Speaker, there are three amendments that are still in dispute in this report. I would like to have them disposed of before this matter goes back to conference.

The SPEAKER. Does the gentleman want to make a motion?

Mr. PAGE of North Carolina. Yes. I move that the House further disagree to all the amendments of the Senate and ask for a conference.

The SPEAKER. The gentleman from North Carolina moves that the House disagree to all the Senate amendments and ask for a conference.

Mr. MANN. The gentleman's motion is to further insist upon disagreement. That is a privileged motion.

Mr. PAGE of North Carolina. I move, Mr. Speaker, to further insist.

Mr. FITZGERALD. Mr. Speaker, I wish to make a suggestion to the gentleman from North Carolina. Three of the amendments go back in disagreement. We might just as well reserve those and settle them if they can be settled at this time.

Mr. MANN. I do not think it is possible to settle the half-and-half proposition at this time.

Mr. FITZGERALD. We might find out.

Mr. MANN. The House at this time will certainly insist upon its disagreement. It is not yet near enough to the end of the session to yield. Of course, we will get there after a while.

Mr. UNDERWOOD. Mr. Speaker, I wish to say to the gentleman in charge of the bill that I would like to move to concur in one of these items, although I do not wish to proceed otherwise than as the gentleman desires.

Mr. PAGE of North Carolina. Mr. Speaker, amendment No. 1, one of the three amendments in disagreement on the report that was filed and which has been disagreed to by a point of order, namely, amendment No. 1, is known as the Johnson amendment, and affects the proportion of the amount paid by the National Government for the support of the District of Columbia. That is in disagreement between the conferees. If anybody has any motion to make other than the one I have made, to insist upon a disagreement, he has opportunity now.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the managers on the part of the House be instructed not to agree to the amendment No. 1.

Mr. FITZGERALD. That is not in order now. That motion is not in order at this time.

The SPEAKER. What is the gentleman's motion?

Mr. FITZGERALD. To instruct the conferees.

Mr. JOHNSON of Kentucky. My motion, Mr. Speaker, was that the managers on the part of the House be instructed not to agree to Senate amendment numbered 1.

The SPEAKER. That is not in order at this time.

Mr. LINTHICUM. Mr. Speaker, I would like to say to the gentleman from North Carolina that I would like to ask that the amendment in reference to the \$50,000 item for the hospital be concurred in.

Mr. PAGE of North Carolina. That is amendment numbered 105, if the gentleman wants to make that motion.

Mr. LINTHICUM. Mr. Speaker, I make that motion.

The SPEAKER. What motion?

Mr. LINTHICUM. That amendment No. 105, in reference to the \$50,000 for the Emergency Hospital here in Washington, be agreed to.

The SPEAKER. The gentleman from Maryland [Mr. LINTHICUM] moves to concur in amendment numbered 105.

Mr. PAGE of North Carolina. Mr. Speaker, I would like to see if we can reach an agreement as to the length of time for debate on this amendment.

Mr. UNDERWOOD. I would like to have five minutes on this.

Mr. LINTHICUM. I do not want more than five minutes.

Mr. PAGE of North Carolina. Say, 25 minutes, Mr. Speaker.

Mr. GILLET. I would like to have five minutes.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent that all debate on this motion close in 35 minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that all debate on amendment 105 close in 35 minutes. Is there objection?

There was no objection.

Mr. PAGE of North Carolina. Mr. Speaker, this item, carrying an appropriation of \$50,000 for the purpose of constructing or helping to complete the Emergency Hospital in the District of Columbia, was placed in the bill in the Senate. It has never been considered in the House, for the reason that the District Commissioners have never estimated for it, and it has never been presented to the House Committee on Appropriations. A year ago it was inserted in the bill in the Senate and went out in conference. At this time we find it again in the bill making appropriations for the support of the District of Columbia, inserted therein by the Senate.

The history of this attempted piece of legislation is this: The Emergency Hospital, a private corporation, over which the Government has absolutely no control, is located at the present time on Fifteenth Street in a block of buildings that was condemned by the Government. Under the condemnation proceedings this corporation was paid \$80,000 for their property. I am not here to say whether that was less than it was worth or more than it was worth, but gentlemen who are familiar with prices placed on property under condemnation proceedings when the Government is the purchaser may draw their own conclusions. It certainly was enough for this property. In addition to that, and since that time, by an amendment similar to this, an appropriation was made by Congress of \$50,000, a gift to a private corporation, for the construction of this Emergency Hospital.

My understanding is that they have in course of construction and practically now completed a hospital located somewhere beyond the War and Navy Department Building. They have consumed the \$80,000 that was paid them for their old property, together with \$50,000, a contribution that was made by the Government, and approximately \$100,000 raised by private citizens in the city of Washington, making in all \$225,000 or \$230,000. The building is practically completed, but it lacks equipment.

I have to say to the House only this, that it is a private corporation. It is not, as I understand, operated for profit; but at the same time we are asked in this amendment to go into the Treasury of the United States and donate \$50,000 for the construction of a hospital over which the Government has no control.

Now, I have no feeling against this hospital, and it has served a magnificently useful purpose in this city. There is no question about that, but it is a matter of policy about which I am talking. I do not believe it is good policy for the Government of the United States to contribute money for the erection or equipment of an institution over which it has and can have absolutely no control. I do not believe that is the proper governmental policy. For that reason I have all the while opposed this appropriation which has been placed in the bill by an amendment in the Senate.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield? Mr. PAGE of North Carolina. I yield to the gentleman from Mississippi.

Mr. HUMPHREYS of Mississippi. The gentleman says the Government has and can have absolutely no control over this hospital. Why is it that Congress can not make such regulatory provisions as in the wisdom of Congress may seem necessary?

Mr. PAGE of North Carolina. Congress can, but Congress will not.

Mr. HUMPHREYS of Mississippi. Congress can, however. It has the power to regulate such institutions. It can regulate any hospital or eleemosynary institution.

Mr. PAGE of North Carolina. But it would have to amend the charter that has already been granted to this institution.

Mr. HUMPHREYS of Mississippi. But it could do that.

Mr. PAGE of North Carolina. It could do it, of course, but I want to say to the gentleman from Mississippi that whenever you undertake to do things of that kind you meet with obstacles which you can not overcome.

Mr. STAFFORD. Will the gentleman yield?

Mr. PAGE of North Carolina. Mr. Speaker, how much time have I consumed?

The SPEAKER. The gentleman has consumed five minutes.

Mr. PAGE of North Carolina. Just one minute more. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I rise for information. Has the municipality any hospital that performs similar service to that performed by this Emergency Hospital?

Mr. PAGE of North Carolina. Oh, the municipality practically has no hospital. I have another item in this bill in which I am trying to get a hospital for the municipality, and that proposition meets with objection on the floor of this House.

Mr. STAFFORD. Would it perform similar work?

Mr. PAGE of North Carolina. I do not know that it would. It might, of course, be made to do it, but it is not so contemplated.

Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I very seldom make a speech on an item in an appropriation bill, and I would not call this question to the attention of the House if I did not consider it a very meritorious and a very important matter.

The Emergency Hospital has been conducted for a good many years by an association composed largely of the good women of this District, and it has rendered efficient service to the people of the District of Columbia and the strangers within its gates.

Not because of any desire upon the part of the people who conduct this hospital, but because the Government wanted to acquire the block in which it was located, the property was condemned and a price fixed upon it, and it must be torn down. The Government paid \$80,000 for the property. It is to be assumed that they got what it was worth and got no more.

The old hospital was not large enough for their business and to properly take care of their patients. They had \$80,000. They raised \$100,000 themselves and the Government donated to them \$50,000 to complete a new building for this great charity. It is a beautiful building, well constructed, up to date in every way, an ornament to the city of Washington. They have reached a point where the building is nearly completed, but they have no money for equipment. I am informed that the ladies in charge of this hospital have arranged to raise another \$100,000 themselves for the equipment and installation of this hospital, but that is as far as they can go, and it will take \$150,000 to put this hospital on its feet and enable it to render the service that is necessary to the people of this District.

Now, I want to say to the House that I think often the city of Washington is far behind other cities in the donations of its own people to charitable and other institutions, but that is not the

case here. The gentleman from North Carolina says we are going to take this money out of the Treasury of the United States. This is not the Government of the United States paying this \$50,000. It is the government of the District of Columbia. It is true that under the arrangement with the District of Columbia and the Government of the United States some of that money actually does come out of the Treasury of the United States, but that is not the proposition. This is an effort to secure an appropriation from the District of Columbia for a great charitable purpose, not only for the people of the District but for any strangers who may be within the District and may here meet with unforeseen accidents. It may be a citizen who lives in the District who meets with an accident and is carried to this hospital for immediate relief, or it may be my child or your child that is knocked down by a street car or injured anywhere in this great District and carried to this emergency hospital for immediate relief to save its life or its health.

The Government of the United States is about to close the present hospital because it has condemned the property on which it is located, and this District of Columbia is now asked to contribute out of its public funds a portion of the money that private charity has contributed to take care of the wounded and unfortunate. As a matter of fact, it might be well if the District of Columbia paid every dollar for the maintenance of this Emergency Hospital that will be conducted and run by private charity in the future; but here you are facing an emergency. This session of Congress is about to close. The credit of these good women is exhausted when they have raised an additional \$100,000 to commence the operation of this new hospital. They must have that relief, and they are asking that the District of Columbia out of its public funds contribute one-half of what they are themselves prepared to contribute. Why, I hardly know of a city in this country where the city government is not willing to contribute to good charities in emergencies of this kind. They do in my city, and I have no doubt they do in your cities. Why should we attempt to treat the people of the District of Columbia, because they may be orphan children in the Government of the United States, in a different way from that in which our own people act at home? I am not in favor of increasing appropriations, and I have made an earnest effort to hold them down; but this is a governmental necessity. There is no greater charity that I know of, when a stricken man falls by the wayside, his friends not about him, his home perhaps a thousand miles away, than to have an ambulance come to his assistance and, whether he has a dollar or whether he has not, carry him to a place where his life may be saved and he may be nursed back to health and happiness for his family.

Mr. PAGE of North Carolina. Will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. PAGE of North Carolina. Does the gentleman lose sight of the fact that there are several other very finely equipped hospitals in the District that would take these people, and that we have spent nearly \$2,000,000 in the construction of them?

Mr. UNDERWOOD. They do not do this emergency work. They are not equipped for this emergency work at this time. And why ought you to make this appropriation? This is a public service. It is a public duty; and I say to my friend from North Carolina [Mr. PAGE], chairman of this great committee having in charge the appropriations for the District of Columbia, carrying the purse strings of the District in his hand, he owes a real responsibility to these people to see that their health and their lives receive proper protection in the governmental utilities of this District.

Mr. PAGE of North Carolina. Now, if the gentleman will permit, these people have had at their command more than \$230,000 for the construction of a hospital, and they constructed one that cost \$400,000. What was the necessity for it?

Mr. UNDERWOOD. Well, I admit that they have built a very handsome and beautiful building. It is possible that in the immediate future a smaller building might have answered the purpose, but, building for the future, I do not think they have built this hospital one foot too large. The real economy was in constructing a building that may last and serve these people for generations yet to come, and they have built on that plan. [Applause.]

Mr. FITZHENRY. Will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. FITZHENRY. If this appropriation of \$50,000 is made, what effect will it have on the necessity for the Gallinger Hospital?

Mr. UNDERWOOD. I do not know that that has anything to do with it.

The SPEAKER pro tempore (Mr. Moon). The time of the gentleman from Alabama has expired.

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, the gentleman from North Carolina makes his principal objection that this is a private corporation. I do not see that that enters into it to any great extent, because this private corporation does not do private work alone, but public work, and answers a public necessity. Here is an institution run by these ladies who are doing what it costs the Government perhaps two or three times as much to do. By keeping up the hospital and making this appropriation we are getting the benefit of the services of any number of women interested in charitable work. We are getting the benefit of a magnificent hospital, and they are helping to keep it up. They have shown their good faith in these transactions by raising \$100,000 before they built this new hospital. They put every dollar they received from their property into the building, and now they come and ask us to appropriate \$50,000 toward finishing and equipping it.

I have always found in my experience that when the Government or a State tries to do a work of charity in this line it costs a great deal of money, but when you can get an institution doing a charitable work in which women and men are interested, themselves raising the money, then the Government gets a substantial benefit.

If we refuse this appropriation, if they do not have the hospital, the Government would have to undertake the work itself, and nobody can argue for a moment that the Government could do this work for as little money as these people are asking for in this appropriation. I say it is a great public necessity. Washington must have an emergency hospital, and it seems to me that we are getting off in the cheapest manner possible.

It is true that they have a magnificent building, but as the gentleman from Alabama stated, it is more economical in the long run to put up a building equaling the necessities for the future than it would be to wait until the future necessities arrive and endeavor to enlarge.

I am strongly in favor of the appropriation, which follows the absolute necessities of an emergency hospital, and this hospital is designed to do this kind of work, look out for emergency cases throughout the District, and I hope the amendment will be agreed to.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, I hope this amendment appropriating \$50,000 toward the Emergency Hospital building will receive the favorable action of the House. I do not think the objections urged that it is an appropriation for a private institution are tenable in this case. There are precedents for it regarding this very hospital. Congress has appropriated \$50,000 toward the new building now nearing completion and has appropriated in former years for the construction of the building which it is now occupying. It is one of the important institutions of the city, in that it is patronized almost exclusively by emergency cases. Its central location and the effective work that it has done in giving attention to emergency cases entitles it to the favorable consideration of the Congress, which is responsible for appropriations for the District.

The building is substantially completed and needs equipment, and \$50,000 is absolutely necessary for that purpose. The citizens of the District have been exceedingly liberal in their subscriptions to the extent of \$120,000, and to that has been added \$50,000 appropriated heretofore by Congress, plus \$100,000 which has been borrowed and secured upon the property.

If there should be unusual delay, and there would be unless Congress granted the appropriation, not only would the work of the institution be impaired, but they would be required to pay continuous interest on the loan of \$100,000. So in view of the conditions, in view of the very active and zealous labors of the committee of ladies of the District, in view of the importance of the hospital to the District, the merit it has established as the only institution of its kind, I think it is entitled to the favorable consideration of this House, and the appropriation ought to be made, and I hope the membership will give it their favorable support.

Mr. THACHER. Will the gentleman yield?

Mr. SMALL. I will.

Mr. THACHER. Is it not true, as the gentleman from Alabama says, that this is the only hospital equipped for emergency service in the city?

Mr. SMALL. I so understand.

Mr. THACHER. And is it not a fact that a few days ago a man fell on the steps of the Capitol, breaking his leg in two or three places, and was taken down to the hospital?

Mr. SMALL. That is true, and those accidents occur not only every day but, often, many times a day.

Now, Mr. Speaker, I had occasion to visit the hospital a few days ago, and the impression made upon me was decidedly unfavorable. I think they labor under great difficulties in maintaining proper sanitation of the building with the handicap under which they work. Of course, they must vacate the building very soon—whenever the Government shall determine to raze the building and take possession of the property. But, regardless of that, they ought to be permitted to vacate this insufficient and insanitary building at the earliest opportunity, and this appropriation is the one desideratum for that end. [Applause.]

Mr. PAGE of North Carolina. Mr. Speaker, before proceeding further I desire to state that I made a miscalculation in respect to the time on this amendment, and I ask unanimous consent that it be extended for 10 minutes.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the time on this amendment be extended for 10 minutes. Is there objection?

There was no objection.

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, the gentleman from Alabama [Mr. UNDERWOOD] expressed so fully and so well the opinions I hold upon this subject that I feel that it is hardly necessary for me to do anything except to show my interest. There is no question about the need for this hospital. It is admitted by the gentleman from North Carolina [Mr. PAGE] that we need this hospital. There is no other hospital that does this work. The gentleman himself says that if the municipal hospital shall be appropriated for, that does not provide for emergency work. Emergency work is the most pressing and essential of all, and yet this is the only hospital in the city that provides for it. Therefore, obviously there must be such a hospital. And it ought to be situated like this, in the middle of the city, and not like all the other hospitals, in the outskirts. It is very commendable, I think, and speaks in favor of this appropriation that there has already been collected by the citizens of the District of Columbia within the last year \$100,000 for this purpose.

Mr. SMALL. One hundred and twenty thousand dollars.

Mr. GILLETT. We must remember that Washington differs very much from other cities. It is not a business city. There are no great factories here, where people get rich and can liberally contribute to such institutions. The great mass of the people in the city of Washington are Government employees with small incomes, and it is only from large incomes that such an institution as this can be erected. We know that the rich people who live in Washington who can contribute generously are people who are here for a short time, who have other homes and other hospitals and interests there, and I think it is distinctly creditable to the people of the city of Washington that they have raised so much money and contemplate raising as much more. They ought to be encouraged. The gentleman says that we are contributing from our funds. We have done that for hospitals in this city year after year. Why should we not do it for this?

The very argument the gentleman makes against it is, to my mind, one of the strongest arguments in its favor. He says the Government has no control. I think that is an argument for this, because I believe the people charitably disposed, the unselfish men and women, who have given their money and are daily giving their time to the support and management of this hospital will manage it in an infinitely better way than any Government control we can have. I thoroughly favor the principle of contributing to private hospitals rather than undertaking to run them. I believe in this particular case it is contributing to an object which is essentially proper, and I hope the appropriation will be given.

Mr. PAGE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes.

Mr. PAGE of North Carolina. If private individuals can operate this hospital better than Government officials can, why not farm it all out to private individuals?

Mr. GILLETT. We have been doing that for a number of years.

Mr. PAGE of North Carolina. Not only in hospital work, but in other things.

Mr. GILLETT. That is what we have been doing for hospitals. The gentleman does not make this distinction that the people of Washington are giving vastly more to this hospital than the Government.

Mr. PAGE of North Carolina. I think the gentleman is mistaken in that respect.

Mr. GILLETT. They have given \$120,000, and the Government has only given \$100,000, and they are going to give \$100,000 more, the gentleman from Alabama [Mr. UNDERWOOD] says, and you ought to remember that this system on which we have been operating hospitals in this District year after year is the one on which we expect to operate for some time to come under the current law. I do not see why this hospital should be discriminated against.

Mr. PAGE of North Carolina. I yield five minutes to the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. Speaker, the gentleman agreed to yield me a little longer time.

Mr. PAGE of North Carolina. But other gentlemen have consumed the time, and the proponents of this motion have had three-fourths of the time. I yield the gentleman five minutes.

Mr. HARRISON. That shows the merits of our contention. Mr. Speaker, I am one of those in this House who have consistently voted economically when it came to appropriating money for the District of Columbia, not because I have not always felt a pride in the city of Washington, such a pride as every American should feel in the Capital City of the Nation, but because I have been more absorbed in the affairs of my own district and have been trying so hard to get appropriations needed for my district and looking after its interest. Of course my position, candidly expressed, is but the position of the great majority of the Members of the House. But this appropriation appeals to me. It appeals to me because I think it is in the interest of humanity. It is right; it is just. I do not take much stock in the contention that this is an appropriation for a private corporation and that for that reason we ought not to make the appropriation. While the Government, as a rule, should not appropriate money gratuitously out of the Treasury nor donate to private institutions, there are, I think, exceptions to the general rule. We have no authority of law for appropriating money out of the Treasury for flood sufferers or fire sufferers or cyclone sufferers, but we do it. We have no authority of law for appropriating money out of the Treasury for private institutions, but we ought to look beyond the technical rule to ascertain for what purposes the appropriations are to be expended. This appropriation is one of the exceptions, in my opinion. While this is a private institution, it is doing a public service. It is taking care of the poor and needy as well as the rich. It is caring for your constituents and mine when visiting in this city and are stricken by disease or accident.

Under the contract that the Government has with the Board of Charities, we appropriate only \$17,000 yearly for the service it renders. The contract with this Emergency Hospital only allows \$1.20 a person for taking care of these sick and destitute people, and the facts are that it costs the hospital \$2.20 a day to take care of them. They are doing a great and deserving service, and this hospital and one other hospital in the District are the only hospitals in the city that maintain a public ambulance service.

Now, as to the Government donating this money to a private corporation, and the probability of losing it in the future, I find that in volume 27, United States Statutes, at page 552, there appears a statute that says that where the Government makes an appropriation for the purchase of real estate or buildings for a charitable institution like this, and in event that institution should go out of business or dissolve, the Government shall maintain a lien upon all of its property and can enforce that lien for the amount that the Government has expended. I read from that statute:

And all sums of money herein appropriated, or which may hereafter be appropriated and expended in aid of the purchase of real estate for charitable or reformatory institutions in the District of Columbia, or for buildings or for permanent improvements to buildings thereon, shall (subject to any trust deed, mortgage, or other security or incumbrance existing on such property at the time of its purchase, or created at the time of its purchase) be a lien upon such property, and in case of the dissolution of any such corporation owning such property, or in case of the disposal of such property by such corporation, entitle the United States to reimbursement in proportion to any other contributions or funds used for such purposes; and the acceptance by any such corporation of any sum of money appropriated for the foregoing purposes shall be an acceptance of and agreement to this provision.

Therefore I submit that here is an institution that is operated not for private gain. They have never declared a dividend during its existence. It is in the interest of the public. It has performed a great service to strangers and the people of the District of Columbia, and if it should ever be dissolved or go out of existence the Government could, if it should so desire, come in and take the buildings for the money that we here appropriate.

I submit further, Mr. Speaker, in view of the great service it is rendering all classes, in view of the special kind of work it is doing for the people, in view of its necessary and indispen-

sable character, we should not hesitate to make this appropriation. The facts are that for the past 10 years 259,000 emergency patients were taken care of by this Emergency Hospital, and that was at a time when the hospital was not so large or so commodious as it will be when this appropriation is made. Now, these good ladies have raised \$120,000 by public subscription. They have arranged to borrow \$100,000 more. The Government came in and took the property that it formerly possessed. It was not particularly anxious to give up the hospital site it formerly maintained, but the Government forced them to give it up. A jury tried the question of compensation and awarded \$90,000 for their old site and building. Unless we grant this appropriation they can not go on and render the service to the public it is proposed to render, and I submit that what we ought to do is to concur in the Senate amendment, so that this hospital will be assured and can soon begin to render to the needy and sick such service as they might need. [Applause.]

Mr. PAGE of North Carolina. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Speaker, in two minutes I can not enter upon any discussion of the pending motion, but will merely attempt to state my attitude. I am opposed to the Senate amendment. I am surprised at the number of gentlemen who have stood on the floor here to-day and urged Congress to take from the Public Treasury another \$50,000 and donate it to this Emergency Hospital enterprise. There is no doubt in my mind that it is a great institution, but there are thousands of great institutions that no gentleman here can justify himself in using public money to promote or to preserve. I believe the time has come, and if the remarks I have heard from the distinguished leader of this House recently are true, I believe the time has come when we ought to cease yielding to every importunity and using public money, drawn from the taxpayers of this land, for private interest, however meritorious that interest may be. Therefore I am opposed to the Senate amendment, and shall vote to strike it from the bill.

Mr. PAGE of North Carolina. Mr. Speaker, I yield the remainder of my time—10 minutes, or whatever it is—to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, the gentleman from Mississippi [Mr. HARRISON], in stating that this statute created a lien upon the property where the Federal Government contributed to an institution, is not absolutely correct. Where the Government buys the real estate, and where the appropriation on its face states that it is made for the purpose of aiding in the construction of a building, then the lien attaches. This appropriation is for the purpose of furnishing the building and not for the purpose of purchasing land nor for the purpose of constructing a building, and in order that we may retain a lien it must state on the face of the appropriation the purpose for which it is made to be included in this statute.

Mr. HARRISON. Will the gentleman yield just for one moment?

Mr. SISSON. I will.

Mr. HARRISON. Will the gentleman read the statute or just a part of it to see whether or not his contention is correct?

Mr. SISSON. I have not the time to read the statute—

Mr. HARRISON. It is a very short statute.

Mr. SISSON. It would take a little time; there are 12 or 15 lines in it. But, in brief, the statute is that it must be an appropriation for real estate. That is it, in a word. There is no question about that. Now, it has been stated also by the gentleman from Alabama [Mr. UNDERWOOD] that there is no hospital to which you can carry a man when injured. There are two—the Providence and the Garfield Hospitals—

Mr. UNDERWOOD. If the gentleman will permit, I hope the gentleman will not misquote me. I did not say there is no hospital to which a man could be carried, but I said there was no hospital equipped for this emergency work.

Mr. SISSON. These hospitals are equipped with all the necessary instruments and necessary surgeons to take care of emergency cases. Now, there is no question about that, gentlemen, but this Emergency Hospital will be devoted solely to that purpose. However, the Garfield Hospital will take emergency cases, and so will Providence Hospital; and I have heard of no complaint about the treatment which the emergency cases get. But the serious objection to this is when certain people become interested in charitable work in the District of Columbia they realize that when they shall put their hands to the wheel, when they shall undertake a proposition, extensive and costly, that if they shall fall down on the proposition that they may come to Congress. They are constantly here. I am not blaming them for their interest, but I blame men for yielding to these demands, because the people distant from the Treasury

can not—and I expect it is extremely fortunate for the Treasury—make these demands upon it; but we have appropriated nearly \$2,000,000—one million nine hundred and odd thousand dollars—to the construction of Providence and Garfield Hospitals, the two of them together. Now, we have paid something like \$100,000 to private institutions, all told, carried in all these bills, for these private institutions, and I am opposed to that policy. I agree with the gentleman from North Carolina [Mr. SMALL] absolutely, that the Federal Government should divorce itself from all the sectarian institutions to which they are now appropriating money; that the Government ought to divorce itself from these private institutions; but I do not agree with the doctrine that it is well to appropriate money for private institutions where you can not control the admission of inmates; where you can not control what shall become of the fund after it gets into their hands; where you have no one whom you can hold accountable for it; but, above all things, what we need in the District of Columbia is a hospital under the control of Congress, under the control of men appointed through and by Congress, and under the laws of the Government. There is not a man on your subcommittee, there is not a man, so far as I know, on the Committee on Appropriations, I doubt whether there is one in this House, who would not be more than glad to see proper hospital facilities here. Now, this hospital is to receive \$50,000. It was not contemplated at the time this charter was granted, it was not contemplated at the time the building was constructed, but when they asked Congress for the first \$50,000, after Congress bought the lot for \$80,000, or whatever it did pay for it, it was thought that the \$50,000 would be enough, with what they would be able to raise, to build and equip this hospital.

Now, after several years have elapsed they have undertaken a greater proposition than they started out with originally, or it is costing a great deal more. Now they are asking Congress to give them, in addition to what they have already granted them, for the purpose of furnishing this hospital, \$50,000. Now, I stated that if this \$50,000 is contributed to the furniture under this statute there can be no lien upon the property. If this property was a part of the real estate, and this purchase price was a part of the \$50,000, and the amount of this \$50,000 went into the real estate or into the building, then you would have a lien on the property to that extent and that alone.

Mr. HARRISON. Will the gentleman yield for a second?

Mr. SISSON. Yes.

Mr. HARRISON. The provision especially states:

Toward the construction of a new building for the Central Dispensary and Emergency Hospital, erected on the site purchased and owned by said hospital, \$50,000.

It especially states it conforms to the statute.

Mr. SISSON. As a matter of fact, the language which the gentleman reads is the language originally carried in the bill. But the fact is, and the testimony shows, this was for the purpose of equipping the building. The building is about completed already.

Mr. UNDERWOOD. Will the gentleman yield?

Mr. SISSON. I will.

Mr. UNDERWOOD. As a matter of fact, I think it is necessary to spend a large portion of this money for equipment, but the elevators are not finished and parts of the building are not finished. But that is not the purpose for which I rose. My friend is arguing this question from the standpoint of a lien. If you think this is a good charity and ought to be extended, you do not want any lien in order to get your money back.

Mr. SISSON. In other words, when a government shall put its money into one of these institutions and the private corporation should dissolve, I do not want the assets of the institution divided up among private individuals when the Federal Government has put \$100,000 into the building of it.

Mr. UNDERWOOD. This will never dissolve.

Mr. SISSON. I do not know whether it will or not or do you.

Mr. UNDERWOOD. If you gave \$50,000 to a good charity, would you want your money back?

Mr. SISSON. The great trouble is that everybody in the District now is expecting the Federal Government to respond in good charities, where there are a hundred magnificent charities the Government could perform to-day in the District of Columbia and millions of them throughout the United States. There are millions of people asking for bread, and there are millions of people without homes; there are millions of people living in tenement houses. Great cities are filled with tenement houses, and these people need homes. In God's name, if you put it on that ground, if the Federal Treasury should respond to all good charities, where would it end?

Mr. UNDERWOOD. But the gentleman—

Mr. SISSON. I can not yield any further.

I do not deny that if you build hospitals, you are doing a great work; but the people who undertake to perform a charity and expect credit for the charity have the duty placed upon them to care for it. Now, they already have a mortgage on this building. And I want to state further in reference to your lien, that the statute also provides that all mortgages that may be on the property at the time shall be a preferred lien on it, and if this mortgage is not paid the Government would lose the \$100,000 in the event the corporation is dissolved. As long as the Federal Government contributes and continues to contribute in this business, just so long the District of Columbia will fail to do what the gentleman from North Carolina [Mr. PAGE] states. He is a man above reproach, not only in his honesty and integrity, which all men concede, but in his charity, in his broad view of public questions, there is no one better in this or the other end of the Capitol. And the gentleman from Alabama is one of those people who prevent the District of Columbia doing the very thing that the gentleman from North Carolina and myself want to do; that is, to have the Federal Government do the very thing in the District of Columbia that it ought to do.

Mr. UNDERWOOD. Yes; and when the gentleman had a chance he has always refused to do it.

Mr. SISSON. I have never done anything of the kind. I am here now asking you to do it.

Mr. UNDERWOOD. You refuse to do it now, and you refuse to do it when you vote.

Mr. SISSON. I am not doing anything of the kind, and the gentleman knows it. This bill contains an item to build a municipal hospital, and if the gentleman will support that you will get all you want, and then the Government can be relieved of appropriations to sectarian institutions.

The SPEAKER. The question is on agreeing to the amendment No. 105.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. PAGE of North Carolina. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 75, noes 23.

Mr. PAGE of North Carolina. Mr. Speaker, I make the point that there is no quorum present.

Mr. MANN. Not on that item. You do not care.

The SPEAKER. The Chair will count.

Mr. MANN. What are you filibustering on that for?

Mr. PAGE of North Carolina. I am not filibustering. I want a record vote.

The SPEAKER (after counting). One hundred and eleven gentlemen are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 196, nays 107, answered "present" 1, not voting 119, as follows:

[Roll No. 89.]

YEAS—196.

Abercrombie	Doremus	Holland	Mann
Alexander	Dupré	Houston	Mapes
Anderson	Eagan	Howell	Martin
Anthony	Esch	Hughes, W. Va.	Miller
Austin	Evans	Hulings	Mitchell
Avis	Fairchild	Humphrey, Wash.	Montague
Baker	Falconer	Humphreys, Miss.	Moore
Barchfeld	Farr	Igoe	Morgan, Okla.
Beakes	Fess	Johnson, Wash.	Morin
Bell, Ga.	Fields	Kelster	Mott
Blackmon	FitzHenry	Kelley, Mich.	Murdock
Bowdler	Flood, Va.	Kelly, Pa.	Nelson
Britton	Fordney	Kennedy, Conn.	Nolan, J. I.
Broussard	Francis	Kennedy, Iowa	Norton
Brown, N. Y.	Frear	Kennedy, R. I.	O'Hair
Browne, Wis.	French	Kent	Padgett
Browning	Gallagher	Kettner	Paige, Mass.
Bryan	Gallivan	Kiess, Pa.	Parker, N. J.
Bulkley	Gardner	Kinkaid	Parker, N. Y.
Burke, S. Dak.	Gill	Kirkpatrick	Patten, N. Y.
Burke, Wis.	Gillett	Knowland, J. R.	Patton, Pa.
Burnett	Gittins	Konop	Peters
Butler	Good	Korbly	Platt
Campbell	Goulden	Kreider	Plumley
Cantrill	Graham, Ill.	La Follette	Powers
Carlin	Gray	Langley	Ragsdale
Casey	Greene, Mass.	Lazaro	Rainey
Clark, Fla.	Greene, Vt.	Levy	Raker
Coady	Griffin	Lewis, Md.	Rauch
Connolly, Iowa	Gudger	Linthicum	Reed
Copley	Guernsey	Lloyd	Reilly, Conn.
Cramton	Hamilton, Mich.	Lobeck	Riordan
Crisp	Harris	Loneragan	Roberts, Mass.
Curry	Harrison	McAndrews	Scott
Danforth	Hawley	McGillcuddy	Scully
Davis	Hayes	McLaughlin	Seldomridge
Deltrick	Heflin	MacDonald	Sinnott
Dent	Helgesen	Madden	Slemp
Defenderfer	Henry	Maguire, Nebr.	Sloan
Dillon	Hobson	Manahan	Small

Smith, Idaho	Stevens, N. H.	Ten Eyck	Volstead
Smith, J. M. C.	Stone	Thacher	Wallin
Smith, Minn.	Stringer	Thomson, Ill.	Walsh
Smith, N. Y.	Sutherland	Towner	Walters
Smith, Saml. W.	Switzer	Townsend	Watkins
Stafford	Taggart	Treadway	Watson
Steenserson	Tavener	Tuttle	Whitacre
Stephens, Cal.	Taylor, Ala.	Underhill	White
Stevens, Minn.	Temple	Underwood	Winslow

NAYS—107.

Adair	Connolly, Kans.	Howard	Sims
Adamson	Cox	Hoxworth	Sisson
Alken	Cullop	Hughes, Ga.	Slayden
Allen	Decker	Jacoway	Smith, Tex.
Ashbrook	Dickinson	Johnson, Ky.	Sparkman
Bailey	Dies	Johnson, S. C.	Stedman
Baltz	Dixon	Keating	Stephens, Miss.
Barkley	Doolittle	Kitchin	Stephens, Nebr.
Bartlett	Doughton	McKenzie	Stephens, Tex.
Barton	Eagle	Moon	Stout
Bathrick	Edwards	Morrison	Summers
Beall, Tex.	Fergusson	Murray	Taylor, Ark.
Booher	Ferris	Neeley, Kans.	Taylor, Colo.
Borchers	Fitzgerald	Neely, W. Va.	Thomas
Borland	Floyd, Ark.	Oldfield	Thompson, Okla.
Brockson	Foster	Page, N. C.	Tribble
Buchanan, Ill.	Fowler	Palmer	Vaughan
Buchanan, Tex.	Garrett, Tenn.	Park	Weaver
Byrnes, S. C.	Garrett, Tex.	Pou	Webb
Bryns, Tenn.	Godwin, N. C.	Prouty	Whaley
Callaway	Gordon	Quin	Williams
Candler, Miss.	Gregg	Rayburn	Wingo
Caraway	Hardy	Reilly, Wis.	Witherspoon
Carter	Hayden	Rouse	Woods
Church	Helm	Rubey	Young, N. Dak.
Claypool	Hill	Russell	Young, Tex.
Cline	Hinebaugh	Shackleford	

ANSWERED "PRESENT"—1.

Lee, Ga.

NOT VOTING—119.

Ainey	Dunn	Jones	O'Shaunessy
Aswell	Edmonds	Kahn	Peterson
Barnhart	Elder	Key, Ohio	Phelan
Bartholdt	Estopinal	Kindel	Porter
Bell, Cal.	Falson	Lafferty	Post
Brodbeck	Finley	Langham	Price
Brown, W. Va.	Gard	Lee, Pa.	Roberts, Nev.
Bruckner	Garner	L'Engle	Rogers
Braumbaugh	George	Lenoot	Rothermel
Burgess	Gerry	Leshner	Rucker
Burke, Pa.	Gilmore	Lever	Rupley
Calder	Glass	Lewis, Pa.	Sabath
Cantor	Goeke	Lieb	Saunders
Carew	Goldfogle	Lindbergh	Sells
Carr	Goodwin, Ark.	Lindquist	Sherley
Cary	Gorman	Loft	Sherwood
Chandler, N. Y.	Graham, Pa.	Logue	Shreve
Clancy	Green, Iowa	McClellan	Smith, Md.
Collier	Griest	McGuire, Okla.	Stanley
Conry	Hamill	McKellar	Talbott, Md.
Cooper	Hamilton, N. Y.	Mahan	Talcott, N. Y.
Crosser	Hamlin	Maher	Taylor, N. Y.
Dale	Hart	Metz	Vare
Davenport	Haugen	Mondell	Vinson
Dershem	Hay	Morgan, La.	Vollmer
Donohoe	Helvering	Moss, Ind.	Walker
Donovan	Hensley	Moss, W. Va.	Wilson, Fla.
Dooling	Hinds	Mulkey	Wilson, N. Y.
Driscoll	Hull	O'Brien	Woodruff
Drukker	Johnson, Utah	Oglesby	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. SABATH with Mr. AINEY.

Mr. GOODWIN of Arkansas with Mr. CARY.

Mr. WALKER with Mr. VARE.

Mr. O'SHAUNESSY with Mr. ROGERS.

Mr. HENSLEY with Mr. BARTHOLDT.

Mr. MORGAN of Louisiana with Mr. BURKE of Pennsylvania.

Mr. TALBOTT of Maryland with Mr. KAHN.

Mr. DALE with Mr. ROBERTS of Nevada.

Mr. BURGESS with Mr. LINDQUIST.

Mr. WILSON of Florida with Mr. DUNN.

Mr. BARNHART with Mr. CALDER.

Mr. COLLIER with Mr. EDMONDS.

Mr. CONRY with Mr. BELL of California.

Mr. DAVENPORT with Mr. CHANDLER of New York.

Mr. ESTOPINAL with Mr. COOPER.

Mr. FINLEY with Mr. DRUKKER.

Mr. GARNER with Mr. GRAHAM of Pennsylvania.

Mr. GLASS with Mr. HAMILTON of New York.

Mr. HAMLIN with Mr. GREEN of Iowa.

Mr. KEY of Ohio with Mr. GRIEST.

Mr. HAY with Mr. LANGHAM.

Mr. HELVERING with Mr. JOHNSON of Utah.

Mr. LEVER with Mr. HAUGEN.

Mr. HULL with Mr. SHREVE.

Mr. MCKELLAR with Mr. SELLS.

Mr. MOSS of Indiana with Mr. PORTER.

Mr. RUCKER with Mr. MOSS of West Virginia.

Mr. SAUNDERS with Mr. MONDELL.

Mr. SHERLEY with Mr. HINDS.

Mr. SHERWOOD with Mr. LEWIS of Pennsylvania.

Mr. VINSON with Mr. WOODRUFF.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and Senate amendment No. 105 is concurred in. The Doorkeeper will open the doors.

Mr. PAGE of North Carolina. Mr. Speaker, I ask unanimous consent to disagree to all Senate amendments and ask for a conference. Was that request put as to the other Senate amendments than the one voted on?

The SPEAKER. The gentleman from North Carolina asks unanimous consent to disagree to all the Senate amendments except the one just voted on, and ask for a conference. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I offer the following motion.

The SPEAKER. The Clerk will report the motion offered by the gentleman from New York [Mr. FITZGERALD].

The Clerk read as follows:

*Resolved*, That the managers on the part of the House be instructed not to agree to Senate amendment No. 110.

Mr. PAGE of North Carolina. Mr. Speaker, I would like to see if we can arrange as to the time to be allowed for the discussion of this amendment. I ask unanimous consent that all debate on this motion close in 25 minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that all debate on this motion be confined to 25 minutes.

Mr. MANN. How is that time to be used?

Mr. PAGE of North Carolina. Well, I had calculated that by the number of gentlemen who had indicated that they desired time when I put that motion. The gentleman from New York [Mr. FITZGERALD] was to have 10 minutes, and the gentleman from Illinois [Mr. FOSTER] has asked for 5 minutes, and I was reserving 10 minutes for those who are opposing this motion.

Mr. MANN. We would like to have 10 or 15 minutes over here.

Mr. PAGE of North Carolina. Would the gentleman indicate on which side of the question?

Mr. MANN. No. It is indicated on this side of the aisle.

Mr. PAGE of North Carolina. How much time does the gentleman desire?

Mr. MANN. Ten or fifteen minutes.

Mr. JOHNSON of Kentucky rose.

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. JOHNSON of Kentucky. I rise to offer a motion to instruct.

The SPEAKER. Does the gentleman wish to add to the motion offered by the gentleman from New York [Mr. FITZGERALD]?

Mr. JOHNSON of Kentucky. No. It is a motion to instruct.

The SPEAKER. You can not have two motions to instruct pending at the same time. You can offer it as an amendment, but you can not have two motions to instruct pending at one time, unless one of them is offered as an amendment to the other or as a substitute for the other. Does the gentleman want to offer it as a substitute or as an amendment?

Mr. JOHNSON of Kentucky. Mr. Speaker, they relate to different subjects.

The SPEAKER. To different parts of the bill?

Mr. JOHNSON of Kentucky. Yes; they would reach different parts of the bill.

The SPEAKER. If it relates to the same subject matter in the bill, it might be in order, but otherwise the Chair does not think it would be pertinent to the amendment.

Mr. JOHNSON of Kentucky. I do not care to interfere with the motion made by the gentleman from New York.

The SPEAKER. You can not have two motions to instruct pending at once.

Mr. PAGE of North Carolina. Mr. Speaker, I desire to amend my submission of the unanimous-consent request. I ask unanimous consent that the debate on this motion be concluded in 35 minutes, 15 minutes of that time to be controlled by the gentleman from Illinois [Mr. MANN] and the remainder to be controlled by myself.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the resolution which I send to the Clerk's desk be considered as an amendment to the motion offered by the gentleman from New York.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Kentucky as an amendment to that offered by the gentleman from New York.

Mr. FITZGERALD. Who has the floor now?

The SPEAKER. The Speaker has. Nobody else has.

Mr. FITZGERALD. If the gentleman from North Carolina does not claim the floor, I am entitled to it. I have offered a motion. Under the rules of the House he has control of the floor until he yields to somebody.

The SPEAKER. The gentleman from North Carolina [Mr. PAGE] has the floor. The gentleman from Kentucky offered an amendment.

Mr. MANN. He can not offer an amendment without getting the floor.

Mr. FITZGERALD. He can not offer it, Mr. Speaker.

The SPEAKER. Nobody was occupying the floor.

Mr. MANN. The gentleman from North Carolina was on the floor asking for unanimous consent.

The SPEAKER. What happened was that the gentleman from North Carolina was talking to some one else, and so was the gentleman from New York. I think they were talking with each other.

Mr. PAGE of North Carolina. I was going to say that if the gentleman from North Carolina was in conversation with anyone, it was with the gentleman from New York, but I was—

Mr. MANN. The gentleman from North Carolina [Mr. PAGE] was entitled to the floor and took the floor, and then made a request for unanimous consent, which, by the way, has not yet been disposed of.

The SPEAKER. The Chair understands that.

Mr. MANN. And somebody else can not rise and offer an amendment pending that.

The SPEAKER. The Chair thinks the gentleman from Illinois is correct, and that the gentleman from North Carolina [Mr. PAGE] technically had the floor. The gentleman made a request for unanimous consent, and therefore the amendment is out of order. The gentleman from North Carolina [Mr. PAGE] asks unanimous consent that debate on this proposition be limited to 35 minutes, he to control 20 minutes and the gentleman from Illinois 15 minutes. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I should like to know where I would fall between these two gentlemen? Nobody has suggested that I am to get time from either one of them.

Mr. PAGE of North Carolina. I will yield to the gentleman 5 minutes of the 20 that I have reserved for myself.

Mr. FITZGERALD. I made the statement to start out with that I wanted 10 minutes.

Mr. PAGE of North Carolina. I amend my request for unanimous consent, that the debate may conclude in 40 minutes, 15 minutes to be controlled by the gentleman from Illinois [Mr. MANN], 10 minutes by the gentleman from New York [Mr. FITZGERALD], and 15 minutes by myself.

The SPEAKER. The gentleman asks unanimous consent that the debate close in 40 minutes, 10 minutes to be controlled by the gentleman from New York, 15 minutes by the gentleman from Illinois, and the remainder of the time by the gentleman from North Carolina. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, do I understand that the time of the gentleman from Illinois [Mr. MANN] is to be used for or against my motion?

Mr. MANN. Both.

Mr. FITZGERALD. I do not think all the time ought to be on one side.

Mr. MANN. That is what I think. I have taken only one-third of the time for this side.

Mr. FITZGERALD. That is not on the merits of the proposition.

Mr. PAGE of North Carolina. If the gentleman will allow me, I propose to yield five minutes of the time I have reserved to a gentleman favoring his proposition.

The SPEAKER. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, Senate amendment 110 is as follows:

Gallinger Hospital: Toward the construction of the Gallinger Hospital, including grading of the site, \$150,000, and the limit of cost of the construction of said hospital and accessory buildings is hereby fixed at \$500,000: *Provided*, That said hospital shall be constructed with a view to making future additions, as the exigencies may demand.

The managers on the part of the House have agreed to the Senate amendment with an amendment, and as agreed to by the managers of the two Houses, the provision is:

Gallinger Hospital: Toward the construction and equipment of the Gallinger Hospital, including grading of the site, \$150,000, and the limit of cost of the construction of said hospital and accessory buildings and equipment is hereby fixed at \$1,000,000.

Mr. Speaker, there are several matters to which I wish to call attention. In the first place, if a hospital or any other institution is to be constructed by the Federal Government, in my opinion it should not be named after any living public man who is active in political life. [Applause.] I believe that to be a fundamental objection of a highly important character. When I make this statement I do not wish to be considered as in any way disparaging or reflecting upon the distinguished public services of the gentleman whom it is proposed to honor in this way.

In the second place, Mr. Speaker, the proposition to authorize the construction of a municipal hospital to cost \$1,000,000 can not, in my opinion, be justified at this time in view of the condition of the Public Treasury.

In all probability there will be a substantial deficit in the Treasury of the United States this year, and in the next fiscal year a deficit of a very considerable sum, variously estimated at from forty to eighty or ninety million dollars. Additional tax legislation must soon be enacted. Under the circumstances no public improvement involving an expenditure out of the Public Treasury eventually of \$1,000,000 should be authorized at this time by the Congress unless there be such an emergency and compelling necessity as to justify the expenditure.

In the third place, I am opposed to the proposition for what to me is the most important reason of all. The policy so far pursued in the District of Columbia of caring for the indigent sick is a policy that has been followed for many years. There are a large number of private institutions in the District which are well conducted, well managed, and which have received the commendation of all who are familiar with them. Under the present system the indigent sick are cared for largely in those institutions, under contracts made with the Board of Charities. They are cared for under such contracts at less than they can be cared for in Government institutions, and whatever sum is required additional to that provided by the contract with the Government is made up from the private resources of the institutions. This policy in the care of the indigent sick in the District of Columbia has been so pronounced that Congress, not including the \$50,000 which the House has just overwhelmingly voted as a contribution to one such private institution, has hitherto appropriated \$2,242,637 to the private institutions as aids for their buildings and equipment. If we embark upon the scheme of a great municipal hospital, and there care for all the indigent sick of the District, the policy involves the discontinuance entirely of the policy heretofore existing of having some of the unfortunates cared for under contract in private institutions. The result will be that an expenditure of \$2,240,000 heretofore made will, so far as the Government is concerned, be lost and the proper advantage and benefit from such expenditure will not be derived from it.

Mr. CARTER. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. CARTER. Do I understand the gentleman to say that the Senate put in \$500,000 for this hospital, and that the amount has been raised in conference to \$1,000,000?

Mr. FITZGERALD. The Senate fixed the limit of cost at \$500,000, and the managers on the part of the two Houses agreed to the Senate amendment with an amendment fixing the limit of cost at \$1,000,000.

Mr. CARTER. Did not the conferees exceed their jurisdiction in doing that?

Mr. FITZGERALD. Mr. Speaker, I do not wish to debate that question. I believe it to be a debatable question, but I have not the time to discuss it now. In some of the contracts made with these institutions the indigent sick are cared for at a trifle over 50 cents a day. In the Government-managed institution in this city the cost is well over \$1 a day. At the Washington Asylum the per capita cost is \$1.06 a day. The Washington Asylum, however, is such an institution that it is not to be expected that the same conditions and the same comforts and the same surroundings will be provided there as would be provided for the sick under more advantageous circumstances.

To illustrate what it would cost in a Government-controlled institution we have only one basis of comparison, and that is the cost of the tuberculosis patients in the Tuberculosis Hospital. The cost of the tuberculosis patients is less than the cost of taking care of other patients. They do not require the close attention from nurses and attendants that other hospital patients require. The cost of tuberculosis patients in that hospital is \$1.36 a day.

The policy proposed here involves the construction of an institution to cost \$1,000,000 to take care of, as I am informed, at least 600 patients, at a cost far in excess of what they can be cared for in existing institutions, with the sur-

rendering of the advantages that already accrue to the Government from the investment in those institutions, and the adoption of a policy entirely excluding the charitably disposed and those interested in privately endowed institutions from participation in this work.

I believe that it is a grave mistake to change the present policy, and I hope that this motion or resolution will be agreed to, and that the proposed step will not be taken at this time. If it is to be taken, it should be done at a time when there is an opportunity to discuss such a far-reaching change of policy and ascertain what the cost will be in caring for the patients under such conditions.

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, it was the policy of the Government in the past to appropriate directly for hospitals—to so-called privately controlled institutions. A little while ago \$50,000 was donated to the Emergency Hospital; so that in all these donations the Government has made in the past it gets at least some moral right in these hospitals.

As has been said by the gentleman from New York a minute ago, under the arrangement which Congress has with the Board of Charities existing in the District of Columbia a certain amount of money is appropriated for the care of indigent persons in these institutions.

I have looked some little into all the hospitals in the city of Washington, and I think, taking them all in all, there is an excellent system existing in this city. The care of patients in the Tuberculosis Hospital, which is a Government institution, owned and managed by the Government, and which has a class of patients which is less expensive than surgical or lying-in patients, costs the Government more money now than it does in any other private institution we have in the city. For instance, in the Columbia Hospital we pay, I think, \$1.20 a day. It is well known to anybody who has anything to do with or understands the situation that they are more expensive, or at least the most expensive of any class of patients that goes into a hospital. So if we have a Government institution, we must expect in the future not only to have the expense of building the institution but we must pay more money for the care of the patients than is now paid by the Government.

Of course, we all like to see a large, fine institution. It looks well, and to talk about it sounds well, and I submit that they could get no better care than this class of patients has to-day in the Garfield Hospital, the Homeopathic Hospital, the Sibley Hospital, the Georgetown Hospital, the Emergency Hospital, the Providence Hospital, the Children's Hospital, or any other institution in this city.

Mr. MURDOCK. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. MURDOCK. Can the gentleman give the House any information as to how this proposed institution got its name?

Mr. FOSTER. It was in one of those amendments that comes back from another body in which, I take it, that some one wanted to honor an old member of that body, one who has served many years on the District of Columbia Committee, and who was himself in the early days of his life a physician. I suppose it was to do honor to him that it was given the name it now bears. But when we vote for an institution with the amendments placed upon it by the Senate we must remember that \$500,000 will not pay for the building of this institution. You must remember that one, three, or four million dollars will be necessary before you complete this Government institution. I do not believe that we ought to go into this expenditure at this time, when we are able to take care of these patients in institutions now in existence and have them taken care of for less money than we can ever do in this proposed Government institution.

Now, these private hospitals in the city are not money-making institutions. They are not organized for the purpose of making money. Physicians must treat many of their patients in hospitals to get the best results. Surgical operations must be performed in hospitals in order to afford the best treatment.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. GILLET. Mr. Speaker, I do not find anyone on this side who cares for time against the proposition of the gentleman from New York.

Mr. PAGE of North Carolina. Mr. Speaker, I am sorry that the gentleman from Illinois is not on the floor.

Mr. GILLET. He yielded his time to me and asked me to take charge of it. I wish to use a little time myself, but I am on the same side of it that has already been advocated.

Mr. PAGE of North Carolina. There are only 10 minutes reserved against the proposition.

Mr. GILLET. I will speak now. Mr. Speaker, for several sessions of Congress, some years ago, I was chairman of the subcommittee of the Appropriations Committee which had in charge this District bill. At that time this very proposition which now comes before us came before us session after session, although a larger sum was stated to be necessary. It was urged upon us by the District Commissioners, and at that time the committee, solidly, as I recollect, stood against the proposition. I am sorry to see that there has been a change and that the present committee is in favor of a municipal hospital. The reason we opposed it was on the ground of economy. To appropriate for several private existing hospitals instead of building a municipal hospital is not a new proposition. If it were, it would be very different. If we were beginning new, it might be better to build a municipal hospital. But there have been built up here in Washington, largely, I admit, by Government contributions, a number of excellent private hospitals. They have received about \$2,000,000 of public money from the Government, and they are governed by men and women of high purpose. They are, I believe, better and more economically governed than a municipal hospital would be governed. They are already in existence, and that money which we have contributed to them and which they have raised themselves is now available to take care of the needy in the city of Washington.

Why, then, should we enter into competition with them and launch out into a new proposition which starts with a million dollars and certainly will cost very much more than that? Why should we waste these \$2,000,000 which we have already contributed? Why should we waste this energy and skill and devotion which the men and women of Washington are ready to contribute to hospital service and educate it afresh for the Government? What the Government does in the District of Columbia is always extravagant, I think, and as long as we can accomplish the same result by private means I am in favor of it.

I will admit there is a question which probably is disagreeable to some of us of making appropriations for sectarian purposes. I will admit that I am against that in principle. I do not think the Government ought to do it. I believe it is a good rule to lay down that the Government should not make appropriations for sectarian purposes, but these sectarian institutions are now in existence. They do not teach sectarianism. They are of different sects. They are doing their work splendidly. We have been appropriating for them year by year, and it seems to me that just because it may embarrass us politically, or because we have fundamental objections to it, that should not prevent our carrying on the policy which we have carried on year after year in the interest of economy and good management. We would be wasting all of that and all of the energy and devotion that these good men and women have given by undertaking a great extravagant Government hospital to accomplish the same thing. Therefore I am in favor of the proposition of the gentleman from New York. I reserve the remainder of my time.

Mr. PAGE of North Carolina. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. Sisson. Mr. Speaker, the proposition to which the gentleman referred as having been pending for some time before Congress is not the proposition in this bill at all. The proposition there was to build a three-million-and-a-half-dollar hospital, and plans and specifications were submitted last year in conference, and your subcommittee declined to consider that proposition because the plans and specifications were for a magnificent building, which would really not be suited for the purposes of a hospital. With the Senate conferees agreeing thereto we asked the municipal architect of the District of Columbia, in conjunction with the physicians who had practical experience, to submit to us plans and specifications to make a well-lighted, substantial municipal hospital at the very lowest possible figure that such a building could be erected for. After several days they came back with plans and specifications, the physicians testifying to the amount of space needed in each ward and for each patient, and the supervising architect then made a building in accordance with that, providing all modern appliances for hospital purposes, and said that for between eight and nine hundred thousand dollars the building could be constructed, and that \$100,000 would provide all of the modern, up-to-date equipment. This bill provides for such a hospital and appropriates only \$150,000. I do not believe a man in this House will charge that I favor appropriations that are to any extent extravagant.

I believe this is the most economical proposition that the Government can adopt, because we have not only in the past appropriated only \$2,000,000 to assist in building two hospitals in the District but, in addition to that, we have appropriated

from ninety to one hundred thousand dollars each and every year toward the maintenance and support of private institutions. For this reason the District has no hospital. The people who have charge of the distribution of these funds in the District of Columbia tell us in the subcommittee that the amount of money which we are now appropriating to these private institutions will care for all of the District charities. I do not believe that we ought to continue to make these appropriations. I want to get rid of the sectarian influences that operate upon the minds and hearts of Members of this Congress. I want to divorce the Government from all contributions to these institutions under sectarian control. Am I right? The Congress of the United States in 1896 passed a statute which makes it a violation of law, in so far as it can control Congress, which can repeal any law at any time, defining it to be the fixed policy of the Federal Government not to contribute any money to any sectarian institution of any kind. That was a fixed policy.

Mr. GILLET. These institutions do not teach any sectarian doctrines, do they?

Mr. Sisson. But the statute is not so narrow as that, and says any institution under sectarian control.

Mr. GILLET. That statute does not bind us.

Mr. Sisson. Of course, and for that reason Congress does as it pleases, but it was then defined to be the fixed policy of the Government, and I think it ought to be the fixed policy now of the Government, and in order that you may separate all of the religious influences from this body it is absolutely essential that we should not make any appropriations of this kind. When you appropriate for an institution under one sectarian control the people of another sectarian control will demand a like amount, and what we ought to do is to remove all religious influences from the legislation both in the States and in the Nation.

Now, this \$1,000,000 will build and equip, according to the statement of the Supervising Architect and the physicians, a modern, up-to-date hospital that will take care of all the patients that will come to it within the next 10 years, and it is so designed that you can add to it without losing any of the work which you have already constructed in the event we need more, and with the money which we are now appropriating for these private institutions, maintain and support the hospital. You will only have one management instead of, in the case of these others, several managements. You will concentrate your management in the hands of one board. You will have only one lot of employees to look after the institution, and the overhead charge will be just as much less as one bears to all the institutions here, which have to pay so many overhead charges. We are now paying for two institutions, \$19,000 each, and in many instances we are called upon not to pay deficiencies to both of those institutions.

Mr. FITZGERALD. Will the gentleman yield?

Mr. Sisson. Yes.

Mr. FITZGERALD. The \$19,000 for Providence Hospital takes care of patients at 52 cents a day. That is about one-third the cost of taking care of them in a Government institution.

Mr. Sisson. The Government institutions up to date have been quite small, and the overhead charges will be the same irrespective of the size of the hospital, and the more patients the less the average cost will be. But, irrespective of costs, I would take the churches out of politics.

The SPEAKER. The time of the gentleman has expired.

Mr. GILLET. Mr. Speaker, I yield two minutes to the gentleman from Oklahoma [Mr. Ferris].

Mr. FERRIS. Mr. Speaker, I doubt whether the House fully realizes what they are asked to do by amendment 110, on page 72. The Senate put on an amendment providing for a \$500,000 Gallinger Hospital. The conferees agreed to raise it \$500,000, making it a million-dollar Gallinger Hospital. I would like to ask the membership of this House if this is an appropriate time to spend \$1,000,000 for a Gallinger Hospital or any other kind of a hospital? I can not fathom the logic of my good friend from North Carolina [Mr. Page], and I am shocked and upset that my good friend from Mississippi [Mr. Sisson], who always pulls back on the lines, in this instance has evidently abandoned all his former views on curtailment of appropriations.

Mr. Sisson. Will the gentleman yield?

Mr. FERRIS. Let me proceed; I only have two minutes.

Mr. Sisson. The gentleman has charged me with abandoning my former views, and I think he ought to yield to let me tell him the facts—

The SPEAKER. The gentleman from Oklahoma declines to yield.

Mr. FERRIS. I will leave it to the House. I want to ask the membership on this side of the aisle, when the Treasury is at a vanishing point and it looks like a special session sure, I would like to ask, What has become of the reason and the common sense on this side of the House that they should first agree to a Senate amendment for \$500,000 and then the conferees should agree to \$500,000 more? The provision offered by the gentleman from New York [Mr. FITZGERALD], instructing these conferees to disagree to this whole thing, ought to be carried. There is, of course, nothing personal in this. They may call it the "Gallinger Hospital" if they want to, or they may call it the "Congressman Mann Hospital" if they want to, or they may call it the "Speaker Clark Hospital" if they want to, but this is no time and no place to do anything of this sort. We have not the money to spare to build a million-dollar hospital in this city or any other city. I yield back any time I may have left.

The SPEAKER. The time of the gentleman has expired.

Mr. GILLET. Mr. Speaker, I yield two minutes to the gentleman from Iowa [Mr. Good].

Mr. GOOD. Mr. Chairman, I think this is a very important proposition. I believe it is one that is not thoroughly understood by the membership of the House. We ought to know just what we are doing before we appropriate a million dollars of the people's money at this time, when we are levying taxes on our people to build a hospital in the city of Washington to take care of indigent sick who become charges on the city. There is not a city in all of this country that takes better care of her poor when they are well or sick than does the city of Washington. We are caring for them to-day in the best hospitals to be found any place. These hospitals are taking care of them at a very low charge. They have ample facilities, ample room, in all these hospitals to take care of the poor of the city who are sick and ought to go to the hospitals. Now, what is the proposition? At this time, when the Treasury is empty and the people are being taxed, you propose on that side of the House to tax the people a million dollars more to build a Government hospital in the city of Washington; and I want to say to you that, notwithstanding the fact that these poor people are well taken care of now, when you have a Government hospital, instead of taking care of them at 60 cents per day or thereabouts, the policy will be not how well we can care for them, but how much we can expend on all the fads and fancies of theorists and exploiters. The cost will come out of the people of the United States. They are to be taxed, and when you vote against the amendment of the gentleman from New York, remember you are voting to place a tax on the people of the United States to the extent of a million dollars for that purpose. That is what is before the House.

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, how much time remains on this side?

The SPEAKER. Seven minutes.

Mr. MANN. Mr. Speaker, the proposition here is not to appropriate \$1,000,000, not to appropriate \$500,000, but to appropriate \$150,000, of which in any event one-half would be paid by the District of Columbia. The Senate amendment proposes to limit the cost to \$500,000 for certain buildings, with the authority to increase that hereafter by further appropriations. Well, the House conferees' report is not now before us, but as the report was presented it proposed to limit the cost for all buildings and equipment to \$1,000,000. The gentleman from Oklahoma [Mr. FERRIS] says that we ought not to appropriate this \$75,000 of the people's money and \$75,000 of the District's money for a hospital, but I notice he was very strongly in favor of the proposition to appropriate a very large sum of money for a hospital for the Indians, and even the gentleman from New York in the sundry civil bill carried an appropriation of \$70,000 for taking care of the insane in Alaska, which has not much more than one-fifth or one-tenth of the population of the District of Columbia.

Mr. FITZGERALD. That is, to be taken care of in a private institution under contract, the same as the District sick are at present.

Mr. MANN. Very likely. It is just as much money, whether it is one case or the other. Now, it seems to me that a Congress that can appropriate two or three hundred million dollars for defense against war, appropriate or authorize new construction in the Navy to the extent of \$75,000,000, might properly appropriate a small sum of money toward the construction of a municipal hospital to be governed by Congress or by the authorities which Congress designates for the District of Columbia. Who would abolish the insane hospital in the District of Columbia and turn all the patients over to private institutions? In every great city of the country we provide now for Government-controlled hospitals, and the enlightened sentiment of the

day demands that this shall be done. I have no animosity toward those hospitals that now receive help from the Government. I think it is perfectly proper that they should receive it, but it seems to me that even now, with the present state of the Treasury, we can better afford to expend \$150,000, one-half to be paid by the District, for starting a municipal hospital in this District which will meet all demands than to expend \$70,000 in Alaska, and I do not know how many thousands of dollars for hospitals for the Indians. They are proper, doubtless, but they are not needed as much as a hospital right here, controlled by the Government. [Applause.]

Mr. PAGE of North Carolina. Mr. Speaker, how much time have I remaining?

The SPEAKER. Five minutes.

Mr. MANN. I yield to the gentleman the balance of my time.

The SPEAKER. The gentleman from Illinois [Mr. MANN] yields three minutes, making eight minutes in all for the gentleman from North Carolina.

Mr. PAGE of North Carolina. Mr. Speaker, the gentleman from Illinois has properly stated the proposition as to the appropriation of this money and as to the wording of this amendment. The amendment inserted in the Senate is:

Toward the construction of the Gallinger Hospital, including grading of the site, \$150,000, and the limit of cost of the construction of said hospital and auxiliary buildings is hereby fixed at \$500,000: *Provided*, That said hospital shall be constructed with a view to making future additions as the exigencies may demand.

There was no limit of cost fixed in the Senate amendment, and in conference the House conferees insisted upon fixing a definite limit of cost, and we fixed the \$1,000,000, but not as a guess. We acted upon definite information that we had obtained from the best sources possible as to the amount of room that would be necessary in this hospital to care for the indigent sick of the District of Columbia.

Now, gentlemen speak of the proper care at the present time of the indigent sick in the District of Columbia. I say that those gentlemen either do not know what they are talking about or they are misrepresenting the facts. The indigent sick are not properly cared for at the present time and never will be, in my judgment, until there is a municipally owned and operated hospital for their care.

Mr. FITZGERALD. Will the gentleman yield?

Mr. PAGE of North Carolina. I yield.

Mr. FITZGERALD. Does the gentleman mean that the indigent sick in the private institutions under contract are not cared for?

Mr. PAGE of North Carolina. Oh, no; I did not mean that.

Mr. FITZGERALD. The gentleman means that the indigent sick cared for in the strictly governmental institutions are not properly cared for?

Mr. PAGE of North Carolina. No; I do not mean that. I mean that the hospital that is now known as the Municipal Hospital, and has room for no more than 175 indigent sick people, has 250 people, crowded 6 in a ward, and that is the condition that confronts this Congress and this city and your conferees. It is not a matter of guesswork, but a matter of information. And under the present arrangement, equipment, and authority for caring for the indigent sick in the District of Columbia, I ask the question as to why 250 of these indigent sick are crowded in an institution, composed of ramshackle wooden buildings, not suited for the purpose of proper hospital care, when its capacity is only 175, if these private institutions will take care of them.

Mr. GOOD. Will the gentleman yield?

Mr. PAGE of North Carolina. For a short question.

Mr. GOOD. The gentleman does not mean to give the impression there is no room in the other hospitals, such as Providence and Garfield Hospitals, if the board having charge desires to make arrangements for their care?

Mr. PAGE of North Carolina. They can not make arrangements beyond the sum allowed by Congress for their care. But, aside from this, in this amendment and in the motion pending, by the gentleman from New York, there is not the mere matter of whether we shall make appropriations at this time for the construction of a municipal hospital, but a question of whether the municipality, the District of Columbia, is going to care for its indigent sick in a hospital it controls or whether we are going to continue in the future, as in the past, to make appropriations for the care of a part of them in private institutions, not the whole of them.

Gentlemen speak of the additional cost if it is under governmental control. I say no one here has sufficient information to know what would be the cost in a properly constructed and equipped Government hospital. They are basing their figures upon an institution whose capacity is 175 patients. The

overhead charges are practically as great as they would be in this institution, which would provide for all the indigent sick in this District, amounting now to 500, and provision being made in this amendment to take care of 600, which would allow for the growth in future years.

This is no matter of personal interest to me any more than it is to any other gentleman here, but it is a matter involved as to the policy which we pursue, and it is up to the Congress. It is a matter of perfect indifference to me personally whether or not the motion of the gentleman from New York [Mr. FITZGERALD] is voted up or voted down. But I think it is a matter of vast importance to the proper care of the indigent sick in this city and in this District whether his amendment is voted up or voted down. I believe that we should in this enlightened age go forward and not backward. He speaks of the investment of \$2,000,000 that we have in private hospitals in this city. True, we have, but we have no control, absolutely none, of these hospitals. And it is questionable as to whether or not we have a vested right, although we have been accorded it. I am glad this motion which is pending has produced one result on the floor of this House. It has brought the gentleman from Oklahoma [Mr. FERRIS] to the point of being in favor of economy. Who ever heard of his voting for anything that was in the interest of economy prior to this motion that is pending here to-day? [Laughter.]

Mr. FERRIS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from North Carolina yield to the gentleman from Oklahoma?

Mr. PAGE of North Carolina. I can not yield at present.

Mr. FERRIS. Just for a moment.

Mr. PAGE of North Carolina. Well, I yield to the gentleman.

Mr. FERRIS. The gentleman says he has brought me to economize. Let me remind the gentleman that only a moment ago the House turned a double somersault on the gentleman, and I voted with him then.

Mr. PAGE of North Carolina. And in that instance the House was voting against economy. I say that usually when I stand up on this floor in the interest of real economy this House has done me a double somersault. I would not be surprised if it should do that at this time; but because it does, that does not make it right. I am for a principle that I believe is preeminently right.

Mr. FESS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from North Carolina yield to the gentleman from Ohio?

Mr. PAGE of North Carolina. Yes.

Mr. FESS. What effect will this have on the hospitals that are already in operation?

Mr. PAGE of North Carolina. It will have no effect on them. It will merely affect the private institutions in this city to the extent that under the present arrangement sick are committed to these private institutions, and if this municipal hospital were built and equipped they would be assigned to this hospital, and not to the private institutions. It is for the assignment of the indigent sick to the municipal hospital, and not to the private institutions; that is really the principle involved.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from North Carolina yield to the gentleman from Nebraska?

Mr. PAGE of North Carolina. Yes.

Mr. LOBECK. Will this amount of \$1,000,000 pay for the equipment of the building?

Mr. PAGE of North Carolina. Absolutely it will. It will construct the building and equip it for the care of 600 indigent sick. That is based upon information that I have obtained from the municipal architect and from the Board of Charities and from physicians who are in charge of this hospital.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. PAGE of North Carolina. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from New York [Mr. FITZGERALD].

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. PAGE of North Carolina. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from North Carolina asks for a division.

The House divided; and there were—ayes 86, noes 57.

Mr. SISSON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of in-

struction on Senate No. 110 will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—ayes 86, answered "present" 1, not voting 134 as follows:

[Roll No. 90.]

YEAS—202.

Abercrombie	Dies	Hughes, Ga.	Riordan
Adair	Difenderfer	Hull	Rouse
Adamson	Dixon	Humphreys, Miss.	Rubey
Alexander	Doolittle	Igoe	Russell
Allen	Doremus	Jacoway	Scully
Ashbrook	Doughton	Johnson, Ky.	Seldomridge
Baltz	Dupré	Keating	Sherley
Barchfeld	Eagan	Kelley, Mich.	Sherwood
Barkley	Eagle	Kelly, Pa.	Slayden
Bartlett	Edwards	Kennedy, Conn.	Small
Barton	Estopinal	Kennedy, R. I.	Smith, Minn.
Beakes	Evans	Kettner	Smith, N. Y.
Beall, Tex.	Fergusson	Kirkpatrick	Smith, Tex.
Bell, Ga.	Ferris	Konop	Sparkman
Blackmon	Fess	Laferty	Stafford
Bocher	Fields	Lazaro	Stanley
Borchers	Fitzgerald	Lee, Pa.	Steenerson
Borland	FitzHenry	Lenroot	Stephens, Miss.
Brockson	Foster	Leshor	Stephens, Tex.
Brodbeck	Fowler	Levy	Stone
Broussard	Francis	Lieb	Stringer
Brumbaugh	Frear	Linthicum	Summers
Buchanan, Ill.	Gallagher	Lloyd	Sutherland
Buchanan, Tex.	Gallivan	Loneragan	Taggart
Bulkley	Gard	McAndrews	Talcott, N. Y.
Burke, Wis.	Garner	McGillcuddy	Tavener
Burnett	Garrett, Tenn.	MacDonald	Taylor, Ark.
Byrnes, S. C.	Garrett, Tex.	Madden	Taylor, Colo.
Byrns, Tenn.	Gerry	Maguire, Nebr.	Ten Eyck
Callaway	Gill	Montague	Thacher
Campbell	Gillett	Moon	Thomas
Candler, Miss.	Godwin, N. C.	Morin	Thompson, Okla.
Caraway	Goeke	Morrison	Townsend
Carter	Good	Moss, Ind.	Tribble
Casey	Gordon	Murdock	Tuttle
Clark, Fla.	Goulden	Murray	Underhill
Claypool	Gray	Neely, W. Va.	Underwood
Cline	Griffin	Norton	Vaughan
Coady	Gudger	O'Hair	Walsh
Coiler	Hardy	Oldfield	Watkins
Connelly, Kans.	Harrison	Padgett	Watson
Connolly, Iowa	Hayes	Palmer	Weaver
Cox	Heflin	Park	Whaley
Crisp	Helm	Patten, N. Y.	White
Curry	Henry	Prouty	Williams
Danforth	Hill	Quin	Wingo
Davenport	Hinebaugh	Ragsdale	Witherspoon
Decker	Holland	Raney	Young, N. Dak.
Deitrick	Houston	Rauch	Young, Tex.
Dershem	Howard	Rayburn	
Dickinson	Howell	Reilly, Conn.	

NAYS—86.

Anderson	Fordney	La Follette	Raker
Austin	French	Langley	Roberts, Mass.
Avis	Gardner	Lobeck	Scott
Bailey	Greene, Mass.	McLaughlin	Shackelford
Britten	Greene, Vt.	Mann	Sims
Browne, Wis.	Gregg	Mapes	Sisson
Browning	Griest	Martin	Slomp
Bryan	Guernsey	Miller	Sloan
Burke, S. Dak.	Hamilton, Mich.	Mondell	Smith, J. M. C.
Butler	Harris	Morgan, Okla.	Stephens, Cal.
Cooper	Hawley	Mott	Stephens, Nebr.
Copley	Helgesen	Nelson	Stevens, Minn.
Cramton	Hinds	Nolan, J. I.	Stout
Cullop	Hughes, W. Va.	Page, N. C.	Temple
Davis	Humphrey, Wash.	Paige, Mass.	Towner
Dillon	Johnson, S. C.	Parker, N. J.	Treadway
Drukker	Johnson, Utah	Parker, N. Y.	Wallin
Esch	Johnson, Wash.	Peters	Walters
Fairchild	Kennedy, Iowa	Platt	Webb
Falconer	Kiess, Pa.	Porter	Winslow
Farr	Kinkaid	Pou	
Finley	Kreider	Powers	

ANSWERED "PRESENT"—1.

Carlin

NOT VOTING—134.

Aiken	Crosser	Hamlin	Lindbergh
Ainey	Dale	Hart	Lindquist
Anthony	Dent	Haugen	Loft
Aswell	Donohoe	Hay	Logue
Baker	Donovan	Hayden	McClellan
Baruhart	Dooling	Helvering	McGuire, Okla.
Bartholdt	Driscoll	Hensley	McKellar
Bathrick	Dunn	Hobson	McKenzie
Bell, Cal.	Edmonds	Hoxworth	Mahan
Bowdle	Elder	Hullings	Maher
Brown, N. Y.	Faison	Jones	Manahan
Brown, W. Va.	Flood, Va.	Kahn	Metz
Bruckner	Floyd, Ark.	Keister	Mitchell
Burgess	George	Kent	Moore
Burke, Pa.	Gilmore	Key, Ohio	Morgan, La.
Calder	Gittins	Kindel	Moss, W. Va.
Cantor	Glass	Kitchin	Mulkey
Cantrill	Goldfogle	Knowland, J. R.	Neeley, Kans.
Carew	Goodwin, Ark.	Korbly	O'Brien
Carr	Gorman	Langham	Oglesby
Cary	Graham, Ill.	Lee, Ga.	O'Shaunessy
Chandler, N. Y.	Graham, Pa.	L'Engle	Patton, Pa.
Church	Green, Iowa	Lever	Peterson
Clancy	Hamill	Lewis, Md.	Phelan
Conry	Hamilton, N. Y.	Lewis, Pa.	Plumley

Post	Sabath	Stevens, N. H.	Volstead
Price	Saunders	Switzer	Walker
Reed	Sells	Talbot, Md.	Whitacre
Reilly, Wis.	Shreve	Taylor, Ala.	Wilson, Fla.
Roberts, Nev.	Sinnott	Taylor, N. Y.	Wilson, N. Y.
Rogers	Smith, Idaho	Thomson, Ill.	Woodruff
Rothermel	Smith, Md.	Vare	Woods
Rucker	Smith, Saml. W.	Vinson	
Rupley	Stedman	Vollmer	

So the motion of Mr. FITZGERALD was agreed to.  
The Clerk announced the following additional pairs:  
Until further notice:

Mr. AIKEN with Mr. MCKENZIE.  
Mr. ASWELL with Mr. MANAHAN.  
Mr. BROWN of West Virginia with Mr. ANTHONY.  
Mr. CANTRELL with Mr. MOORE.  
Mr. FAISON with Mr. PATTON of Pennsylvania.  
Mr. DENT with Mr. PLUMLEY.  
Mr. DRISCOLL with Mr. SINNOTT.  
Mr. FLOOD of Virginia with Mr. SAMUEL W. SMITH.  
Mr. GRAHAM of Illinois with Mr. SMITH of Idaho.  
Mr. LEE of Georgia with Mr. SWITZER.  
Mr. KITCHIN with Mr. WOODS.  
Mr. REILLY of Wisconsin with Mr. VOLSTEAD.  
Mr. HAYDEN with Mr. J. R. KNOWLAND.

The result of the vote was announced as above recorded.  
The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

Mr. PAGE of North Carolina. Mr. Speaker, I believe my request that the House disagree to the other amendments was granted, and also my request for a further conference.

The SPEAKER. The gentleman is correct.

Mr. JOHNSON of Kentucky. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Kentucky offers a resolution which the Clerk will report.

The Clerk read as follows:

*Resolved.* That the managers on the part of the House be instructed not to agree to Senate amendment No. 1.

The resolution was agreed to.

The Speaker announced as the conferees on the part of the House Mr. PAGE of North Carolina, Mr. Sisson, and Mr. DAVIS.

#### CHANGE OF CONFEREES.

The SPEAKER. The gentleman from Kentucky [Mr. THOMAS], who was appointed a conferee on the bill (H. R. 17862) providing for the appointment of an additional district judge for the southern district of Georgia, declines to serve, and the Chair appoints the gentleman from Kansas [Mr. TAGGART] in his place.

#### LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. STEVENS of Minnesota, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the cases of—

Michael Flaherty (H. R. 3865, Sixty-third Congress, first session);

Mathilde K. Schiffman (H. R. 3286, Sixty-third Congress, first session);

Leslie R. Loveland (H. R. 19198, Sixty-third Congress, second session); and

Minnesota & Ontario Power Co. (H. R. 3300, Sixty-third Congress, first session)—

No adverse report having been made thereon.

#### FEDERAL BUILDING, HONOLULU, HAWAII.

Mr. CLARK of Florida. Mr. Speaker, I call up the conference report on S. 5295.

The SPEAKER. Has it been printed?

Mr. CLARK of Florida. Yes.

The SPEAKER. The Clerk will report it.

Mr. CLARK of Florida. I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Florida asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MANN. Let us have the title of the bill reported first, Mr. Speaker.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (S. 5295) to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes.

The SPEAKER. The gentleman from Florida asks unanimous consent to read the statement in lieu of the report. Is there objection?

There was no objection.

The conference report is as follows:

#### CONFERENCE REPORT (NO. 1430).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5295) entitled "An act to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 3, 5, 6, 7, 8, 9, and 10, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted insert the following: "sell and convey by usual quitclaim deed said site to the highest bidder at public or private sale, after giving notice by advertisement for 30 days in at least two newspapers published in said city of Honolulu at a minimum price of not less than \$165,000; and the Secretary of the Treasury is hereby authorized to arrange for the reimbursement of the contributors to the opening and dedication of Bishop Street adjoining said site through any responsible fiscal agent in Honolulu whom he may designate: *Provided*, That the agent serves without compensation; and the Secretary of the Treasury is authorized to deposit with such agent \$35,000 of the amount realized from the sale of the present site and take a bond from the agent for the full deposit; and the agent shall ascertain the names of the contributors, and the amounts contributed, and shall reimburse them, taking receipt in each case, the reimbursement to be the amount contributed without interest; and the receipt obtained by the fiscal agent shall be considered as evidence of the reimbursement, and the person so reimbursed shall have no further claim. The appointment of the fiscal agent and the conditions under which the reimbursement is to be arranged shall be advertised in at least two local newspapers of wide circulation a stated number of times, and no one of the original contributors shall be entitled to reimbursement unless the claim is filed with the agent within one year after the last time the matter referred to is advertised. The difference between the amount obtained for the sale of the site and \$35,000 shall be deposited in the Treasury as a miscellaneous receipt, and any balance of the \$35,000 which the designated fiscal agent is unable to return to the original contributors shall also be turned into the Treasury as a miscellaneous receipt;" and the House agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted insert "\$275,000"; and the House agree to the same.

FRANK CLARK,  
JOHN L. BURNETT,  
R. W. AUSTIN,

*Managers on the part of the House.*

CLAUDE A. SWANSON,  
JAMES E. MARTINE,  
F. E. WARREN,

*Managers on the part of the Senate.*

The Clerk read the statement, as follows:

#### STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5295) entitled "An act to amend existing legislation providing for the acquisition of a site and the construction of a building thereon for the accommodation of the post office, United States courts, customhouse, and other governmental offices at Honolulu, Territory of Hawaii, and for other purposes," submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the amendments of the House, namely:

On amendment No. 1: Strikes out the language leaving the question of sale of present site in the discretion of the Secretary of the Treasury, as proposed by the House.

On amendment No. 2: Strikes out the language proposed by the Senate relative to reconveyance of the present site to the person or persons from whom the United States acquired title,

and so forth, and provides for the sale of said site, as proposed by the House, and for the reimbursement of the contributors to the opening and dedication of Bishop Street, adjoining said site, through a responsible fiscal agent, to be designated by the Secretary of the Treasury and to serve without compensation, under such proper arrangements, bond, and so forth, as may meet with the approval of the Secretary of the Treasury; said sale of site to be negotiated at a minimum price of not less than \$165,000, which would return to the Government its payment of \$104,000, with interest and provide a balance of \$35,000, as specified in the amendment, with which to reimburse the street contributors.

On amendment No. 3: Strikes out the language leaving the purchase and acquisition of a new site in the discretion of the Secretary of the Treasury, as proposed by the House.

On amendment No. 4: Authorizes a limit of cost of \$275,000 instead of \$250,000, as proposed by the House, thereby giving the Secretary of the Treasury more latitude in acquiring site.

On amendment No. 5: Strikes out authority to enlarge present site, as proposed by the House.

On amendment No. 6: Strikes out language referring to cost of an enlargement of site, in conformity with language stricken out in amendment No. 5, as proposed by the House.

On amendment No. 7: Strikes out authority to use proceeds of sale of present site toward the acquisition of a new site, as proposed by the House, such proceeds, less \$35,000, to be deposited in the Treasury as a miscellaneous receipt, as provided in amendment No. 2.

On amendment No. 8: Strikes out language about enlargement of present site, as proposed by the House, in conformity with amendments Nos. 5 and 6.

On amendments Nos. 9 and 10: These amendments strike out, as proposed by the House, language used by the Senate in contemplation of the possible enlargement and use of the present site, and make the final clause of the bill conform to the new proposition to give up and sell the present site and acquire an entirely new one.

FRANK CLARK,  
JOHN L. BURNETT,  
R. W. AUSTIN,

*Managers on the part of the House.*

The conference report was agreed to.

JOSEPH ELIOT AUSTIN.

Mr. WITHERSPOON. Mr. Speaker, I present a conference report and accompanying statement of the managers on the part of the House on the bill (H. R. 2642) to restore to the Navy Joseph Eliot Austin, and I ask unanimous consent for the present consideration of the report.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the conference report, notwithstanding the rule which requires conference reports to be printed in the RECORD and go over for one day.

Mr. MANN. Reserving the right to object, what is the effect of the conference report; what does it do with the Senate amendment?

Mr. WITHERSPOON. It was a compromise, and I will state the effect of it. Under the House bill as we passed it, this young man would have been put 10 numbers below the place he would have occupied if he had not been removed. Under the amendment agreed on by the conferees he will be placed 15 numbers lower than the place he would have occupied if he had not been removed.

Mr. MANN. I do not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the statement.

The conference report is as follows:

#### CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2642) authorizing the President to reinstate Joseph Eliot Austin as an ensign in the United States Navy, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: Strike out the new matter inserted in the Senate amendment and in lieu thereof insert the following: "to appoint Joseph Eliot Austin an ensign in the United States Navy and after one year's service as ensign he shall be promoted to the grade of lieutenant, junior grade, as an additional number in that grade and in any grade to which he may thereafter be

promoted, to take rank with and next after the officer at the foot of the list of lieutenants, junior grade, at the date of the approval of this act: *Provided*, That the said Joseph Eliot Austin, after one year's service as ensign, shall establish to the satisfaction of the Secretary of the Navy, by examination pursuant to law, his physical, mental, moral, and professional fitness to perform the duties of lieutenant, junior grade, in the Navy"; and the Senate agree to the same.

S. A. WITHERSPOON,  
S. J. TRIBBLE,  
THOMAS S. BUTLER,

*Managers on the part of the House.*

B. R. TILLMAN,  
CLAUDE A. SWANSON,  
GEO. C. PERKINS,

*Managers on the part of the Senate.*

The Clerk read the statement, as follows:

#### STATEMENT.

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill (H. R. 2642) authorizing the President to reinstate Joseph Eliot Austin as an ensign in the United States Navy, submit the following written statement in explanation of the effect of the action agreed upon and submitted by the accompanying report on the amendment of the Senate, namely:

The Senate amendment authorizes the President to appoint Joseph Eliot Austin an ensign in the United States Navy, to take rank at the foot of the list of ensigns, and the House recedes with an amendment whereby Joseph Eliot Austin is appointed an ensign in the Navy, and after one year's service as such is eligible to be promoted to the rank of lieutenant (junior grade) as an additional number in that grade or any grade to which he may thereafter be promoted, to take rank with and next after the officer at the foot of the list of lieutenants (junior grade) at the date of the approval of this act: *Provided*, That he shall establish to the satisfaction of the Secretary of the Navy, by the usual examination, his physical, mental, moral, and professional fitness to perform the duties of lieutenant (junior grade) in the Navy.

S. A. WITHERSPOON,  
S. J. TRIBBLE,  
THOMAS S. BUTLER,

*Managers on the part of the House.*

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

#### HOURLY MEETING TO-MORROW.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that when the House adjourn to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection? There was no objection.

#### POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House bill 19906, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, and for other purposes, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the Post Office appropriation bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. MANN. Reserving the right to object, I would like to say to the gentleman that there are two Senate amendments, Nos. 4 and 12, one relating to assistant postmasters and the other relating to demoted letter carriers, upon which some of us do not want an agreement in conference without an opportunity to vote upon it in the House.

Mr. MOON. In the event that I should be one of the conferees, I would not agree to it at all unless it was a full agreement of the Senate conferees. If the matter should reach a point where the House ought to give instructions, we would be glad to come back for instructions on those matters.

Mr. MANN. We can ask for a separate vote on the amendments now, but that might not be necessary. I think we will have to do that unless we have an understanding that these

two amendments shall not be disposed of in conference in the first instance.

Mr. MOON. I think we ought to have a full and complete conference on everything; but there will be no disposition to take advantage of that, and if there is anybody in the House who wants to vote on any matter I do not object.

Mr. MANN. The gentleman from Tennessee and I do not quite understand each other, or I do not quite understand the gentleman from Tennessee. Of course we can ask for a separate vote now upon all amendments.

Mr. MOON. I take it that the bill would go to the committee now if there was objection to this request.

Mr. MANN. Is the gentleman willing to assure us that these amendments will not be disposed of in conference without an opportunity for the House to vote upon them?

Mr. MOON. Do I understand the gentleman to mean that if the Senate conferees should be willing to accept the House proposition, still he wants a separate vote upon them?

Mr. MANN. Yes; certainly.

Mr. MOON. I do not know that I have any objection to it, but it seems to me a little odd that gentlemen want to vote on a proposition where the Senate accepts the House proposition.

Mr. MANN. I understand; but we have a right to a separate vote on any Senate amendment, and I do not think it would be well to have the Senate recede from the amendments without a vote in the House. If the gentleman brings it back, he can move to further disagree or concur.

Mr. MOON. The gentleman wants a vote on these two amendments?

Mr. MANN. Yes; Nos. 4 and 12.

Mr. MOON. Very well.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none, and the Chair appoints the following conferees:

The conferees named were Mr. MOON, Mr. FINLEY, and Mr. MADDEN.

Mr. STAFFORD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Among the conferees who have been named on the Post Office appropriation bill is the gentleman from Illinois [Mr. MADDEN], representing the minority. The gentleman from Illinois is not the ranking member on the Post Office Committee, but the ranking member is Mr. SAMUEL W. SMITH, of Michigan. The next in order is the gentleman from Minnesota [Mr. STEENERSON], and then comes the gentleman from Illinois [Mr. MADDEN]. My inquiry is whether, under the usual practice of the House in the naming of conferees, the ranking member of the minority on the committee is not designated as the representative of the minority on the conference?

The SPEAKER. Usually he is.

Mr. MOON. Mr. Speaker, I want to say to the gentleman from Wisconsin that for three sessions the ranking member on the Democratic side on the committee was not appointed on the conference committee for reasons that best suited the chairman of the committee.

Mr. STAFFORD. Mr. Speaker, I have never known the time. Perhaps the gentleman is right in his recollection, but—

Mr. MOON. I will state to the gentleman when it was. It was when the gentleman from California, Mr. Loud, was chairman of the committee.

Mr. STAFFORD. Oh, that is going back into ancient history, but in the last 12 years on the Post Office appropriation bill and on every other appropriation bill the ranking member of the minority has been recognized and appointed as one of the conferees.

The SPEAKER. That is the usual practice. There is no question about that, but the Chair as a matter of routine usually appoints the conferees that the chairman of a particular committee asks to have appointed.

Mr. STAFFORD. Then I put this further question to the Speaker, Whether the minority is not entitled to have as a representative on the conference a person who is opposed to the position of the majority on the amendments in disagreement?

The SPEAKER. The Chair does not think that is true.

Mr. STAFFORD. I understand that the representative of the minority should be a person who takes the opposite position to the position of the majority, when the amendments are in disagreement and the two sides of the Chamber are in opposition, and that is the very purpose of having a minority representative on the committee of conference. It is to have a member who represents the minority in disagreement to the position of the majority.

The SPEAKER. If that rule were carried out, then about one-half of the time, considering the political minority, we

would have the men who represented the views of those opposed to the bill.

Mr. STAFFORD. That would be only in case a question is raised, as the question is raised now. There are certain amendments proposed here in this bill, and some of the minority are opposed to those amendments.

The SPEAKER. The rule gives the Speaker absolute authority about it; but, as the Chair has stated, the Chair would have to dig down into the lists of the committees every time, and unless there is some exceedingly good reason he is guided by the desire of the chairman of the committee.

Mr. STAFFORD. Is it to be the understanding that as a precedent to be established now the chairman of the committee has the right to select the minority members.

The SPEAKER. The Chair has never said anything of the sort.

Mr. STAFFORD. That is what is being done at the present time.

The SPEAKER. The Chair said that the appointment of the conferees was vested absolutely in the Speaker; and, in the second place, as a matter of practice the Chair generally appoints those asked for by the chairmen of the various committees. There is no precedent about it.

Mr. FITZGERALD. Mr. Speaker, the managers on the part of the House must represent the attitude of the House upon these questions.

The SPEAKER. The Chair was going to add that. It has always seemed to the Speaker that in a controverted question the conferees from the House ought to represent the sentiment of the House.

Mr. STAFFORD. Then in that case, as the gentleman from Kansas [Mr. MURDOCK] has just suggested to me, why have a representative of the minority upon the conference committee if you are not going to have a representative to carry out the expressed wishes of the minority?

The SPEAKER. But there are two minorities in this House, one of them political and the other legislative. It might turn out at any time that all of the Republicans were in favor of a proposition, with enough Democrats to carry it. It does not make any difference how one arrives at it, that is the sentiment of the House if the proposition is carried.

Mr. STAFFORD. Then we are to understand, Mr. Speaker, that the selection of the conferees is in the control of the chairman of the committee?

The SPEAKER. No. The Chair has never said anything of the sort.

Mr. STAFFORD. That is the case in this instance.

The SPEAKER. The Chair has said that the Chair usually follows the suggestion of the chairman of the committee. The gentleman from Tennessee [Mr. MOON], chairman of the Committee on the Post Office and Post Roads, asked the Chair to appoint these particular men, and the Chair appointed them, and that is all there is to it.

Mr. MOON. Mr. Speaker, I want to say to the gentleman from Wisconsin [Mr. STAFFORD] in justification of that fact that this House upon this bill is going to be in a death struggle with the Senate upon matters that involve to this Government more than \$10,000,000 per annum, and so far as the House is concerned it has passed the bill demanding that economy, and as a conferee I want some one to assist me who is going to stand by the House, and not either one of the gentlemen preceding in rank upon the committee the gentleman from Illinois [Mr. MADDEN], because they are both against the will of the majority of this House.

Mr. STAFFORD. But the gentleman who has been designated—

Mr. MOON. We are representing the sentiment of the House.

Mr. STAFFORD. The gentleman who has been appointed voted with the majority and not with the minority.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the regular order.

#### GENERAL DEFICIENCY APPROPRIATION BILL.

The SPEAKER. The regular order is the motion of the gentleman from New York [Mr. FITZGERALD], about half past 11, to go into the Committee of the Whole House on the state of the Union for the consideration of the general deficiency bill.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21546, the deficiency bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 21546, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 21546) making appropriations to supply deficiencies in appropriations for the fiscal year 1915 and for prior years, and for other purposes.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Chairman, I would ask the gentleman from Massachusetts to use some time.

Mr. GILLET. Mr. Chairman, I do not intend to discuss the bill itself at the present time. Whatever I care to say about that, I can do so under the five-minute rule, but I wish to occupy a few minutes in some desultory remarks. The older Members of the House will remember that for many years I was chairman of the Committee on Reform in the Civil Service, a reform with which I always was in sympathy, and that position gave me especial interest in it, and during the last year at different times I made some comment on the attitude of this administration toward the merit system. When this administration came into power I expected that the merit system, as it is called, would be strictly enforced and supported. My confidence depended not upon the character or the platform pledges of the Democratic Party, but it was based entirely upon the character and previous pledges of the President of the United States. At the time he was nominated he was the vice president of the National Civil Service League, and in resigning, as he very properly and modestly did on being nominated for President, he stated that it did not indicate any lack of interest in the cause. Consequently, as I say, I expected from him a full performance of what his previous life and professions had promised; but, as some remarks I made last year indicated, I have been disappointed.

Having had no time during this winter to watch what was being done to the civil service until yesterday, when our last appropriation bill was finished, I then dropped into the rooms of the Civil Service Commission to see what Executive orders had been issued, and to see whether the principles—for I believe they were the genuine principles of the President—had been exemplified in his conduct. You all know, of course, that the civil-service law gives to the President power at any moment to waive its provisions and appoint a man to any position whatever under the civil service without any competitive examination. I believe that was a wise provision. It was put in, of course, because now and then there will come up an instance where the civil-service law is an inconvenience and where the best interests of the Government require that it should be temporarily waived. It gives a little elasticity to the law, and in all administrations there have been occasional waivers by the President. So I stepped in yesterday to see what waivers had been made this year. I looked through the list and I found in the two years since President Wilson was inaugurated 137 persons had been appointed by Executive order and excepted from the ordinary civil-service rules and from competitive examination. Under President Roosevelt a practice was inaugurated that when he desired to except a person from examination he would, before issuing an order, submit the case to the Civil Service Commission and request their opinion upon it, and then he could act in the light of an impartial and unbiased opinion. That has been followed ever since, and has become the ordinary course of Presidents. President Wilson has in the main followed this practice—and, by the way, I want to say right here that, while I criticized as an act of partisanship the appointment of the present commission, the appointment of two Democrats and one Progressive, instead of two Democrats and one Republican, as held all through the administration of Presidents Roosevelt and Taft, yet this commission, although appointed in this partisan manner, has not, in my opinion, acted in a partisan way itself.

On the contrary, as far as it has come to my knowledge, this present commission has acted impartially and fairly and as the judicial body which it ought to be. Its opinions have my respect, and I believe it has aimed to carry out the spirit of the law. Now, President Wilson I find submitted to the Civil Service Commission for their judgment all but 18 of these 137 cases. Eighteen cases he did not submit at all to the commission. I suppose the reason has been both with him and with Republican Presidents, that there were cases where they had made up their mind they were going to waive the civil-service rules anyway, and they preferred to waive them without first submitting them to the commission and having the commission disapprove them, and then being obliged to waive them in the face of a disapproval by the commission. Now, President Wilson waived the examination in 18 cases which

he did not submit to the commission at all, and, as I say, I suppose in that, as in other cases, those were ones in which he was quite confident the commission would not agree with him and would advise that the order ought not to issue. In 41 cases the Civil Service Commission indorsed the suggestion and approved the waiver of the examination, and in those 41 cases I have no criticism to make upon the Executive. Where the Civil Service Commission, sitting, as I believe they have, as a judicial body, have impartially ruled that for the good of the service the exception ought to be made, I acquiesce and accept that as conclusive. But in 78 cases which the President submitted to the Civil Service Commission for their judgment they reported that the exception ought not to be made, and yet in those 78 cases he made the exception against the advice of the Civil Service Commission. In that I believe he has disregarded the spirit of the civil-service law.

Now, I wondered whether these cases were unusually numerous with President Wilson or whether this was a fair specimen of the conduct of our Presidents, and therefore I asked my clerk last night to look up the records of the first two years of President Roosevelt's term and the first two years of President Taft's term, and compare them with these first two years of President Wilson's term. In President Roosevelt's term he could not give me the figures, because it was not specified in the reports what action the Civil Service Commission took. But he found them under President Taft, and I find that President Taft in the first two years of office excepted 77 men from taking the examination—77 by President Taft against 137 by President Wilson, just about half as many. I find that President Taft waived the examination in the cases of 11 without submitting them at all to the Civil Service Commission. And I assume there, as I did in the case of President Wilson, that he feared an adverse report from the Civil Service Commission, and therefore preferred to make the appointments without being obliged to do so over their heads, and such appointments I criticize and condemn. So that President Taft appointed 11 without referring them to the commission, while President Wilson appointed 18.

I find that in 65 cases which were referred to the commission by President Taft the commission approved the order, and therefore, I say, the spirit of the civil-service law was carried out. And it is worth noticing that of those 65 persons 29 were included in one Executive order, in which, so far as I could see, the circumstances made it perfectly clear there was no partisanship, but that it was done for the good of the service. And there was just one case which the Civil Service Commission disapproved and where President Taft made the appointment despite the disapproval. So the figures stand like this: There were 137 exceptions by President Wilson, 77 by President Taft. President Wilson appointed 18 without referring them to the commission at all; President Taft appointed 11, all to be criticized. President Wilson's recommendations were approved in 41 cases by the Civil Service Commission; President Taft's were approved in 65. President Wilson appointed 78 men against the judgment of the Civil Service Commission and President Taft appointed 1—78 to 1.

Mr. GARDNER. Will the gentleman yield?

Mr. GILLET. Certainly.

Mr. GARDNER. Was that during the whole four years?

Mr. GILLET. The first two years. I did not look at the last two years. I made the comparison equal. The first two years of President Wilson and the first two years of President Taft.

Mr. SLOAN. Will the gentleman yield?

Mr. GILLET. I will.

Mr. SLOAN. In how many cases did the President acquiesce in the objections of the Civil Service Commission?

Mr. GILLET. Of that there is no record. Where the President sends the suggestion to the commission and they disapprove, and he does not act, there is no record, at least none was shown me, and so I have no means of knowing. And I should like to add there that I requested at the offices of the Civil Service Commission to be shown the correspondence between the President and the commission. I should like to have seen the letters which the commission wrote to the President and to see against what advice he still followed his own wishes. But the commission informed me—and I am not criticizing them for that, for I presume it is proper—that that correspondence was confidential and that I could not see it.

So, those are the figures. Now, it seems to me that does not conform, as we had a right to expect the conduct of the President would conform, to his previous statements and position on this question.

Mr. FESS. Will the gentleman yield?

Mr. GILLET. Certainly.

Mr. FESS. How far should that confidential relationship between the President and the department exist, in that Congressmen could not see the correspondence?

Mr. GILLET. I do not wish to pass upon that. I do not wish to criticize the commission, because when they said that to me I said to myself I presume I should say the same thing if I were in their place. I have not studied the question, and I do not know whether that is confidential or whether it is not; but it seems to me at first blush that they were right.

Mr. SLOAN. Is the gentleman able to find any case where the President abided by the objections made by the Civil Service Commissioners?

Mr. GILLET. I presume there were such cases, but I have no knowledge on that point at all, because those cases did not appear on the record.

Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used 15 minutes.

Mr. HAYES. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from California?

Mr. GILLET. Certainly.

Mr. HAYES. I would like to ask if the gentleman does not think that this correspondence, being under the law, as I understand it, was a part of the official acts of the commission?

Mr. GILLET. No; this is not under the law. The President is not required to submit it to the Civil Service Commission for their judgment. It was a system inaugurated by President Roosevelt on his own initiative, and is not a part of the law, so that I presume it is confidential.

Now, I make no criticism of that. The criticism I make is that after the position of the President before election and the declaration of the Democratic Party—although I do not think any of us on this side attached much value to that—this long list of orders against the advice of the commission is depressing. I confess it is with genuine disappointment that I find that the law is not being observed in spirit as it had been before.

There were a couple of cases that attracted my attention for the reason that they were both worded in exactly the same language, in accordance apparently with a formula. They were cases that came from the office of the Attorney General. They waived examinations for two high-priced positions in the office of the Attorney General, and made the waiver on the ground given by the Attorney General that the positions were highly confidential and required a peculiar order of talent and that the men were known to the Attorney General personally. Those cases were, neither of them, even referred to the commission, but the appointments were made without reference.

Now, I find that one of those cases was that of Charles E. Stewart, of Alabama, August 22, and the other was that of Calvin Satterfield, of Pennsylvania, December 30. I have had very little time to investigate, but I find those cases were not to fill vacancies. Vacancies were made for the appointment of those two men by requesting the men who held the positions before to resign. Both of them who held the positions before were men who had risen up from the ranks in the service to these higher positions. The chief clerk, as I ascertained, was appointed by Attorney General Knox. He had served with satisfaction apparently through the terms of Attorney General Knox, Attorney General Moody, Attorney General Bonaparte, Attorney General Wickersham, and Attorney General McReynolds, and it was not until last fall that it was discovered that the position of chief clerk was so extremely confidential that a proper man could not be found in the civil service, and that the position must be given to Mr. Charles E. Stewart, of Alabama.

I inquired this afternoon who he was. By the way, I was perfectly certain before I made the inquiry that these two men were both Democrats. I was perfectly confident myself that it was done on the principle enunciated by the premier of this administration—"to find places for deserving Democrats." [Laughter on the Republican side.] I find that Mr. Stewart was a newspaper man stationed in Washington who was very active in the recent campaign for Mr. UNDERWOOD. In that way, I presume, he showed his peculiar fitness for this position. The other gentleman, Mr. Calvin Satterfield, of Pennsylvania, I know nothing about; but I see the gentleman from Pennsylvania [Mr. PALMER], who, I think, is the most influential in patronage in that State. I should like to ask Mr. PALMER if he knows who he is?

Mr. PALMER. I never heard of him before. [Laughter.]

Mr. GILLET. I confess I am surprised. I venture to say some Democrat from Pennsylvania has heard of him.

Mr. PALMER. I suppose somebody threw something over on me. [Laughter.]

Mr. GILLET. I do not suppose the gentleman owns the whole State. I know nothing about him, but I venture to say that he is a Democrat. It strikes me as significant that in those two cases the same formula was used, and that whereas through all these previous administrations the man who rose up through the civil-service ranks became chief clerk and Chief of Accounts Division and was satisfactory to all those Attorneys General, yet now with this new officer the examination is waived and these two high-priced offices are filled.

Why, gentlemen, the idea of a chief clerk in the Attorney General's office being a peculiarly confidential position!

Mr. MONDELL. Did the gentleman state what the position is that is occupied by the second gentleman to whom he referred?

Mr. GILLET. It is the position of Chief of the Division of Accounts in the Attorney General's office.

Mr. MONDELL. Is that supposed to be a highly confidential position?

Mr. GILLET. I should say it is just about as highly confidential as the other. It had been occupied in the same way through all these Republican administrations by this gentleman who had worked up from the ranks, but it has suddenly become highly confidential and extremely personal.

Mr. PALMER. Will the gentleman yield?

Mr. GILLET. Yes.

Mr. PALMER. Is it a Pennsylvanian who occupies the position of Chief of the Division of Accounts?

Mr. GILLET. Yes.

Mr. PALMER. Does the gentleman know where he is from?

Mr. GILLET. I do not. All it said in the presidential order was—

Charles Calvin Satterfield, of Pennsylvania.

I have not been able to learn anything more about him. I am sorry that the gentleman from Pennsylvania can not enlighten me. I venture to say that there is some Democrat from Pennsylvania who could enlighten him.

Now, Mr. Chairman, I have taken more time than I meant to take. There is just one other word that I wish to say before taking my seat, a word of quite a different and more pleasing character. I have found much to criticize in this administration. With its domestic policies I am entirely at variance. But after it actually commenced war with Mexico I stated that, although I thought its Mexican policy was mistaken and shortsighted, yet inasmuch as the die was cast and actual war was waging, I should try in every way I could to assist and uphold our foreign policy, and I uttered no further criticism until our soldiers came back from Vera Cruz.

It seems to me events have justified my original position, and that by taking sides instead of preserving a strict neutrality we have made ourselves in some measure responsible for the anarchy now devastating Mexico, and if European nations were not too busy at home they would now demand of us that we protect the lives and property of their citizens there, or would themselves proceed to protect them regardless of the Monroe doctrine.

But I am glad to avow that the attitude of the administration during this European war has my full and unqualified approval. I think it has been wise, impartial, dignified, temperate, asserting our rights as neutrals firmly and considerately, acknowledging our duties as neutrals frankly and voluntarily, and displaying always a friendly and sympathetic spirit which ought to qualify us for any possible rôle of peacemaker. I trust this pacific and unexceptionable disposition will continue. I trust we shall not allow any sudden episode to stir hot blood and provoke retaliation. We must remember that the nations there are struggling desperately for their lives, are accustomed to the daily tortures and deaths of thousands, and in their intense absorption are liable to ignore or to forget that there are also nations in the world who are still at peace and who are still engaged in the pursuits of commerce and who have rights. While we must not waive or yield those rights, yet I think we must allow for the abnormal conditions and must not allow any sudden injury to draw us into that vortex of fiery passions and hates. We can afford to keep calm and cool. I thoroughly approve and indorse the temperate and pacific and genuinely neutral policy of the administration. I hope it will continue, and I shall be glad to continue my support. [Applause.]

Now I yield 25 minutes to the gentleman from Michigan [Mr. HAMILTON].

Mr. BARTLETT. Does the gentleman want to use that time now?

Mr. GILLET. I supposed you would like to have me use the time. You have the right to go on if you please.

Mr. BARTLETT. I am perfectly willing to accede to the gentleman, whatever his wishes may be. We have agreed to yield to the gentleman from Ohio [Mr. FRANCIS].

Mr. GILLET. Will that end the debate this evening?

Mr. BARTLETT. Does the gentleman from Michigan wish to go on?

Mr. HAMILTON of Michigan. I think perhaps after the other gentleman talks we may as well adjourn.

Mr. BARTLETT. If the gentleman from Michigan wishes to use any time, I am perfectly willing to yield it to him.

Mr. HAMILTON of Michigan. I do not want to inconvenience the other gentlemen.

Mr. BARTLETT. Not in the least.

Mr. HAMILTON of Michigan. Mr. Speaker, when the President speaks on political subjects his words convey the purposes and policies of the Chief Magistrate of the greatest Nation on earth.

Through the President the executive power of the United States speaks, not only to the people of the United States, but to the people of other nations.

The words of the President then should carry with them the dignity of his great office, and the greatness of the office should inspire the man who holds it to strive to express in his life, character, and public utterances the ideals of the Nation.

More than any other public utterance of the President during this administration his Indianapolis speech will serve to give historians and the people generally a mental photograph of the man.

In making that speech he spoke from the complex and contradictory standpoints of a militant partisan, the captain of a political team, an alleged independent, a historian, and the President of all the people.

Appreciation of executive responsibility and the responsibility of a political party intrusted with representative power have seldom been more nobly expressed than in the President's inaugural address.

The coarser phases of mere political swaggering were never more startlingly obtruded than in his Indianapolis speech.

When this administration shall have passed into the wake of time and the historian shall seek among the published utterances of the President material from which to estimate his character, he will find beneath the gloss of rhetoric a compound of idealism, brain power, will power, arrogance, self-confidence, and a somewhat conscious geniality not far removed from the frost line; idealism, mixed with shrewd ability to use patronage and preferment to bend his party followers to his purposes, notwithstanding a thinly veiled disdain for them; self-confidence, apparently troubled with no introspective doubts about his own infallibility, which sought to impose his own ideas by presidential thought suggestion, in direct conflict with the visible, every-day facts of human experience; and from time to time there will be found to have broken out a sort of swashbuckler arrogance like that exhibited at Indianapolis, curiously at variance with a self-centered and studious temperament.

#### THE INALIENABLE RIGHT TO SPILL BLOOD.

The verbal picture of himself by himself of "Woodrow sitting back in his chair and chuckling" is one which the American people, regardless of party, would be glad to have stricken from the permanent record.

Even to quote the statement seems like derogation from the dignity of the presidential office.

No citizen of the United States will have a higher opinion of the presidential office after reading it.

And why did "Woodrow chuckle"? Because he says he knew that when the great newspapers of the country "thundered with rising scorn" at his "watchful-waiting" policy public opinion would sustain him, because he claims to have a "reckless enthusiasm about human liberty" in Mexico.

And yet I doubt if public opinion will approve of his conception of his duty and the duty of the Nation toward the kind of "human liberty" that rides in predatory bands in Mexico.

"Have not the European nations," he asks, "taken as long as they wanted and split as much blood as they pleased in settling their affairs, and shall we deny that to Mexico because she is weak?"

And, having "a reckless enthusiasm about human liberty," he says, "so far as my influence goes, while I am President nobody shall interfere with them."

In view of our obligations under the Monroe doctrine, the President must have realized that his declaration was somewhat safer than it would have been before the European war.

Having a great enthusiasm for human liberty, does the President consider the sordid and ignoble strife among ruffian aspirants for power in Mexico as a fight for liberty?

Having a great enthusiasm for human liberty, does the President believe, and "chuckle" because he believes, that the people of the United States look upon the business of killing, torturing, ravishing, and destruction in Mexico as an inalienable right of a weak people which a strong people are not only under no obligations to restrain, but are under obligations to guard from interference for such time as the business may require?

I doubt if this picture of "Woodrow chuckling" while the United States, under his personal management and direction, forms a ring and orders other nations to stand back while torture, bloodshed, and destruction of property proceed in Mexico, will appeal to the people of the United States; and I doubt if the President, as a historian, will approve of what he said as a rhetorician speaking under the enthusiasm of the occasion.

#### TWO POLICIES.

The policy of nonintervention may be best, but let us not convert our attitude of nonintervention into one of approving protection of extermination.

We had a choice between two policies in Mexico, one the policy of pacification without war by the use of all the resources of international law—the policy of self-respecting protection of the lives and property of our own citizens, and mindful of our responsibilities under the Monroe doctrine, the policy of protection of the lives and property of the citizens and subjects of other nations.

The other policy was that of armed intervention with sufficient force to restore order and establish government.

Most Americans are devoutly glad that we are not at war with Mexico and that no more American lives have been sacrificed.

We are willing to say little about a policy which declared our unwillingness to be "partisans of either party" and yet was partisan.

We are willing to say little of a policy that declared against intervention and kept on intervening.

We are willing to say little about the controversy as to whether 7 or 21 guns constituted a sufficient apology.

But we who went to war with Spain because of her treatment of Cuba; we who have established a stable government in the Philippine Islands are scarcely willing to let the full definition of our relation to Mexico stand as a double "watchful waiting" policy which not only watches, waits, and approves while the months of bloodshed and destruction lengthen into years, but watches and waits to keep off interference.

#### EMOTIONS AND IDEAS.

Himself having "reckless enthusiasm," the President says what he misses in Republicans is that "they do not seem to have any great emotions," and have not had a new idea for 30 years.

Let us examine this. Under our system of government, Governments derive their just powers from the consent of the governed, and the governed consent by majorities.

The Republican Party came into being in the white heat of a national crisis over the issue of slavery, and with the exception of the bankrupt years from 1893 to 1897 and the lean years beginning with this administration, it has represented the purposes and ideals of a majority of the people of the United States so far as their purposes and ideals could be expressed in a political way.

During all that time this Government has "never repudiated an obligation to its creditors, or to humanity"; it has never struck a blow except for humanity, and it has never struck its colors.

To say that a majority of the people of the United States have had no great emotions and no new ideas for 30 years is to say that we have been a stagnant people in the time of our most rapid progress.

Much as we might like to preserve the President's reputation for accuracy as a historian, he can be easily refuted with his own History of the American People as evidence.

This administration has talked a good deal about new things—new ideas; the new freedom; the new spirit; the new era; the new America—but little has been said about new taxes and the new deficit.

Idea count if they take on the shape of things accomplished, but the fact that an idea is new is no evidence of its value.

In politics and philosophy some ideas become principles, and a party that has a new set of principles every campaign is not a reliable party; and a party that repudiates its platform principles is not a reliable party; and a President who leads his party in repudiating its platform principles and then talks about teamwork is at least inconsistent.

Let us compare ideas for a moment. In 1896 the Democratic Party declared for the free and unlimited coinage of silver and gold at the ratio of 16 to 1, and proposed that 40-cent silver dollars so coined should be legal tender for the payment of debts, public and private, contracted at 100 cents on the dollar.

There was nothing new about that. It was old as dishonesty. We said that a free, open mint is a place run by the Government where bullion goes in bullion and comes out coin; that the touch of the Government stamp does not create value; and that for sovereign power to make 40-cent silver dollars legal tender in payment of debts contracted at 100 cents on the dollar was dishonest.

There was nothing new about that. It was as old as honesty.

In 1900 the Democratic Party declared that the Constitution automatically extended itself into and over the Philippine Islands and that the Philippine Islands thereby became an integral part of the Union, but at the same time they proposed to withdraw the Constitution from the Philippine Islands and dispose of them.

There was nothing new about that. The claim that the Constitution extended itself was a part of the Calhoun doctrine that the Constitution extended itself and thereby slavery over free soil; and the proposition to withdraw the Constitution and dispose of the islands was a part of the logic of disunion.

By resolution of April 20, 1898, we demanded that Spain should relinquish her authority over Cuba, and gave the President power to use the land and naval forces of the United States to enforce the resolution.

At the same time we declared our purpose not to exercise sovereignty over Cuba except for pacification, but to give the Government of Cuba to her own people and unfurl for her her own flag among the nations of the earth.

That was a new idea in the history of the world, and we kept our word.

Early in the morning of May 1, 1898, Admiral Dewey steamed into the harbor of Manila and quietly gave an order which has become historic, "When you are ready, you may fire, Gridley."

We entered into possession of the Philippine Islands, not for exploitation, but to give them law, order, schools, courts, government, and security of life, property, and civil rights.

That was a new idea which makes every American prouder of his flag.

We annexed the Hawaiian Islands, posted them like sentinels to guard our western coast, and organized them into a Territory.

We reorganized Porto Rico and gave her \$5,000,000 to repair the devastation of a hurricane.

We defined Alaskan boundaries by peaceful arbitration.

We joined in the relief of the legations beleaguered in Pekin.

We turned back to China the unexpended indemnity balance and with it China has been sending students to American colleges.

We recognized the Republic of Panama and dug the Panama Canal largely out of current revenues.

Meanwhile we were paying the running expenses of the greatest nation on earth and no man who wanted to work was out of a job.

In 1887 we passed "An act to regulate commerce," amended it from time to time, and overhauled it completely in 1906.

In 1890 we passed the "act to protect trade and commerce against unlawful restraints and monopolies."

In 1903 we created a Department of Commerce and Labor with a Bureau of Corporations to compel publicity, and we passed a physical valuation of railroads law.

Not only did we frame laws to protect consumers, independent producers, and shippers from the combined power of cooperating monopoly, but we passed the pure-food law to prevent diligent scoundrels from adulterating, vitiating, and falsely labeling foods and drugs.

Not only that, but we passed the safety-appliance law, the employers' liability law, the law limiting the working hours of railroad men, the boiler-inspection law, and the railroad accidents law.

Not only that, but we passed the parcels-post and the postal-savings laws.

Not only that, but we established a Childrens' Bureau and we passed a child-labor law for the District of Columbia.

Not only that, but we passed an eight-hour day law for Government employees and a law for their compensation for injuries.

Not only that, but we created a Bureau of Mines; and we framed laws to irrigate deserts off the face of the map.

The President was mistaken. He was not speaking as a historian. He was speaking as a biased partizan, who for the

time being had taken down the partition between facts and imagination.

#### A STATE OF MIND.

The President says there is nothing the matter with American business except "a state of mind."

Well, what is the cause of the state of mind? "As a man thinketh, so is he."

What causes men to think there is something wrong with business?

In one of Cesare's powerful cartoons in the New York Sun, three threadbare figures, a man and a woman with a child clinging to her skirts, pinched with cold, are standing in the slush of a city pavement in the bitter winds of winter, and the man and the woman are reading a notice in a window that the Belgian relief fund has reached a million and a half dollars. The cartoon is called "Some American Neutrals."

This little shivering group illustrates the condition of thousands of men and women in America.

And the President, with uplifted eyes at Indianapolis, says:

It goes very much to my heart to see how many men are at a disadvantage and are without guides and helpers.

Disadvantage! They are starving. Guides and helpers! They want work.

And then he asks:

Don't you think it would be a pretty good idea for the Democratic Party to undertake a systematic method of helping the working men of America?

We do! And if the starving, shivering, homeless men and women out of work in America could answer the President's question, they would answer it in tones that would disturb the tranquil self-sufficiency of the White House that one "systematic method" would be to repeal the Underwood blight and pass a law to protect American labor and American industry.

For a President to talk about depressed business and starved labor as a "state of mind" in the presence of bread lines, bankruptcy, and closed factories is fatuous pretense.

When they needed men in the western harvest fields last summer, he says he had notices put up in the post offices to get men and the job together.

That was a brilliant idea, worthy of a theorist. Everybody knows when grain grows ripe for the harvest and for years men who had the money to pay for transportation have flocked to the harvest fields for work.

But that is a job that grows out of the ground, which this administration so far has not been able to destroy, notwithstanding the removal of duty on farm products.

That is a job created by the sun, the rain, the dew, and the soil, which tariff-tinkering theorists have not been able to destroy; and next summer's crop will grow large, stimulated by a demand created by bloodshed in Europe, not by reason of any help from this administration.

It is a different kind of a job and furnishes a different kind of work from the 18,280 commercial failures compiled by Bradstreet's for last year.

These failures furnished jobs for courts, lawyers, receivers, auctioneers, and all the parasites of disaster.

They were the direct product of this administration. They brought the men and jobs together, fat jobs—the mortuary rites of business.

Our people are willing and anxious to avail themselves of facilities now gathering rust and cobwebs, but business threatened with bankruptcy, pestered by political nagging, and men out of work, forced to starve or be fed by charity, are compelled to wait for the passing of this Democratic visitation.

#### WHAT HE DID NOT SAY.

The President went out to Indiana to justify his administration and to invite the independent voter to merge his independence in the Democratic Party, but he said nothing about high prices.

He forgot to tell his audience that he and his party had gone into power on a platform declaring that protection was the unconstitutional cause of high prices, which they promised to reduce by "legislation that would not injure or destroy any legitimate industry," but that they had injured and destroyed legitimate industries and had not lowered prices.

He did not remind the farmers in his audience that he and his party had reduced and removed the duties on farm products to make things cheaper for the people who live in cities.

He did not refer to the working of his plan to "sharpen the wits" of business men by requiring them to figure on how to pay an income tax out of the profits of business that paid no profits and to "sharpen the wits" of laboring men by compelling them to figure on how to pay for food and clothes and rent while looking for work when there was no work.

This administration went into power with a full treasury and abundant revenues, but the President did not tell his audience anything about the approaching deficit.

He did not tell them that our Treasury balance has declined from \$161,612,615 on the 30th day of June last to \$42,387,119 this morning, and that by July 1 next this administration is likely to have to sell bonds to raise money to run the Government.

On the same day on which the President talked at Indianapolis the Democratic chairman of the Appropriations Committee stated in the House that he had "given considerable study to the public finances and to the probable situation of the Treasury during the next fiscal year" and that he could "not escape the conclusion that there will be a deficit in the Treasury in the next fiscal year which will be unquestionably \$30,000,000 and may reach the sum of \$80,000,000 or \$100,000,000."

He stated that he did "not state these figures as mere idle guesses," but as his opinion "after a very thorough and exhaustive examination of our probable receipts and expenditures."

The President did not tell his audience that we are running behind at the rate of fourteen and a half million dollars a month and that by the end of the fiscal year we shall be running in debt at every tick of the clock, notwithstanding the income tax, the corporation tax, and the so-called emergency revenue tax.

He did not tell his audience that our revenues have steadily declined from \$30,138,049 in October, 1913, to \$14,890,982 in December, 1914.

He did not tell his audience that three years ago we were buying and selling among ourselves to the amount of \$35,000,000,000; that that money was paid by Americans to Americans for the wages of American labor and the products of American farms and factories and that since that time we have been levying contributions on the necessities of our people and are soon to have to mortgage their resources by selling bonds.

He did not tell them that one of the reasons why our revenues, derived from importations, plus internal revenue, plus the income tax, plus the corporation tax, plus the emergency tax, and plus miscellaneous receipts, is not sufficient to pay the running expenses of this administration is because the appropriations of this Congress have been greater than the appropriations of any Congress since the foundation of our Government, notwithstanding the Democratic platform pledge of economy.

He did not tell them that these appropriations were made notwithstanding the repeated protests of the Democratic chairman of the Appropriations Committee, who on April 10 last reminded Democrats of their platform pledges of "economy and the abolishment of useless offices" and told them they had "unnecessarily piled up the public expenditures until the Democratic Party had become the laughingstock of the country."

He did not say anything about the encroachment of the executive branch of the Government upon the legislative branch, contrary to the principles of the Constitution.

He did not mention the use of executive influence to control legislative action.

He did not mention any of these things to his audience, but he talked to them about ideas and emotions and liberty and the New Freedom and teamwork.

He did not discuss whether representatives should represent the people or obey the command of the Executive, but he told his audience he had implicit confidence in the people.

However, as Col. Harvey, of the North American Review, casually remarks:

That is not the question. Quite the contrary, we should say.

Mr. FITZGERALD. Mr. Chairman, I yield to the gentleman from New York [Mr. Metz].

Mr. METZ. Mr. Chairman, I want to say a few words on the necessity of doing something on the shipping question. I am sorry I did not have the information when I addressed the House before. I want to point out to the Members the necessity of doing something now.

I have in my hand several letters which I have received from exporters, and among them is one from a large shipper heretofore of machinery and tools. I ask to have this letter printed as a part of my remarks, because it shows completely the trouble shippers are having in shipping to neutral countries. It points out that the Swedish Government was compelled by Great Britain to give a guaranty that the tools and machinery shipped to Sweden were intended for Swedish consumption. In spite of this guaranty and the declaration of the shippers here, the Swedish Steamship Line refuses to accept machinery for Sweden, because their ships are held up in England and searched and detained. Therefore they will not carry the goods.

The same situation arises in regard to rubber. The embargo on rubber has been raised under certain conditions. One condition is that the American manufacturer must sign an agreement which covers not only the rubber obtained through Great Britain but all rubber he receives or had on hand, no matter where or when he got it. In the case of export to any neutral country on earth of any article made from or containing rubber, the goods must be shipped to Liverpool and there reshipped by the British Government. This makes Liverpool the clearing house for the whole world for such products and puts the British Government in absolute control. This is not only so in regard to rubber goods, but includes even carpet sweepers and wash wringers, in the construction of which a very small amount of rubber is used—in the case of the carpet sweepers as a band on the wheels and in the case of the wash wringer on the squeeze rollers. Hundreds of other instances could be mentioned of products that are thus barred from international commerce because rubber forms an infinitesimal part of their construction. The steamship companies are afraid to carry these goods because of the liability of being held up, and the agreement which Great Britain insists upon receiving from those who obtain rubber compels them to submit to the British consul in New York a record of all goods that may be exported in which rubber is used. We are therefore practically closed out from all the markets reached by neutral vessels, such as Italian, Norwegian, Swedish, Danish, and Spanish.

If an American buyer should own a quantity of rubber in neutral countries that produce it, such as Brazil, he is at the mercy of British ships to bring it to the United States. The British ships refuse to carry any rubber not controlled by the British Government; so the tie-up is absolute. If ever there was an agreement in restraint of trade, certainly the conditions imposed by the British Government upon those who use rubber in any form in their business constitute a model for the absolute accomplishment of the purpose for which it was intended.

A letter from a firm, which I had the other day, complains that a cargo of apples sent to Sweden for consumption in Sweden, accompanied by the required Swedish certificate, had been held up for two or three weeks in England until the apples had rotted, and then it was released and sent on to Sweden. That concern will put in a claim through this Government for the damage sustained.

Such are the conditions under which our export trade is suffering. The restriction on copper exports has resulted in the loss of sales of copper to Germany and Austria, and steamers of neutral countries are also afraid to carry this product to neutral countries. But beyond this, the fact that copper is being replaced largely in the industries by other metals will cause us damage of a more serious and permanent nature. I have a letter from one of the largest concerns in Germany, which compares with the General Electric Co. in this country, giving details as to the extent copper is being replaced by iron or galvanized iron or iron covered with bronze.

In the first place, so far as copper for war purposes is concerned, they state that Germany has sufficient copper to last all through the present war, no matter how long it may last, and as many more wars as might follow. It is for the industries, and for industrial purposes entirely, that its use will be curtailed, not only during this war, but for the future. Iron wire is being used for electric light and power transmission, and an alloy of iron and aluminum for cables. In machinery, where brass and bronze were used because of somewhat easier manipulation, they are being replaced by iron. In shipbuilding, where the use of copper, brass, or bronze has been largely one of habit, either hollow bronze or iron covered with bronze is replacing the heavier parts for which copper was used.

It stands to reason that if the industries of Germany adapt themselves to these conditions it will not be long before other countries take up and employ the same substitutes. Ways of manipulation will be found to make them commercially advantageous, and the only country to suffer will be the United States with its great copper output. All these things indicate the necessity of some way of getting our goods abroad without being dependent upon the whims or arbitrary rulings of the British Government and the influence it has upon the foreign shipping controlled by neutral nations. The neutral ships do not dare take any freight that may at all be questioned. The charterers can not take the chance of being held up indefinitely at the English ports.

In addition to the hampered shipping, the insurance question also plays a very important part in our export trade. The Government's War Risk Bureau has done incalculable good so

far as shipments in American ships are concerned by forcing private companies to write insurance and controlling rates; it ought to be extended to American cargoes in other neutral vessels. It is simply impossible to reinsure cargoes to which Great Britain objects for any other countries except Great Britain, France, and Russia. The English companies refuse absolutely to write such insurance, while the means of communicating by cable with companies of other countries, including neutrals, that might take the risk depend upon the British censors allowing the messages to go through, which makes the chance of getting insurance a slim one indeed.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. METZ. Yes.

Mr. STAFFORD. Will the gentleman add also to the list that he has given the case where England, in her imperious way, holds shipments up?

Mr. METZ. Absolutely.

Mr. STAFFORD. Numerous instances have been called to my attention by manufacturers of leather in Milwaukee where shipments have been held up and neutral ships have declined to receive those goods because they know that their vessels will be held up on the high seas.

Mr. METZ. Yes; and that holds good, too, if the article be not wholly composed of leather, but contains only a piece of leather, as, for instance, in the case of the carpet sweeper. A shipment of carpet sweepers would be held up because the little wheels that run on the carpet are bound with strips of rubber. This same is true with regard to leather. If there is a piece of leather on an article in the shipment it will be held up, as, for instance, furniture that is leather covered.

These are the facts that I wanted to bring to the attention of the committee and thus show in what a precarious condition our exporters of any goods, except munitions or war and other products to the allies, find themselves because of our lack of American ships.

The letter to which I referred follows:

DEAR SIR: Referring to our conversation of to-day, we hereby beg to state that shipping of goods in our line, consisting principally of machine tools and small tools and grinding wheels for use in machine shops, has become practically impossible owing to the interference of the British Government. While we do not feel disposed to complain very strongly at the endeavor of the British Government to prevent the shipping of our goods to Germany and Austria, we certainly consider it a most wanton act of the British Government to disturb and practically wipe out our business in American goods with the neutral nations of Denmark, Sweden, and Norway. Up to a short time ago we have been able to forward machinery, etc., on orders received from our Stockholm and Copenhagen houses to ports such as Gothenburg and Copenhagen. The steamship companies, forced by British inspectors, demanded from us that we produce certificates from the Swedish Government through the Swedish legation in Washington guaranteeing that the goods shipped by us are bona fide, intended for Swedish consumption, and that they will not be reshipped to Germany or Austria. We always procured these certificates in the required form, and would have been glad to submit this proof for all our future shipments.

In spite of this guaranty from the Swedish Government, as well as our own declaration under oath that our goods will not be reshipped to Germany or Austria, it seems that the British Government caused the steamship companies having machines as part of their cargo so much trouble and delay that they have been forced to refuse any further cargoes consisting of machinery or tools.

Up to a few days ago we had space engaged on Danish steamers sailing between now and March 1, but have now received notification from the steamship agents that they will not accept any more freight from us, regardless of whether these shipments are intended for Sweden, Denmark, or any other country. This, you will understand, is quite an arbitrary ruling, and as far as our Stockholm and Copenhagen houses are concerned it would mean practically ruin of their business on account of not being able to get goods from us owing to the mere suspicion of the British Government that these machines shipped to Sweden or Denmark might eventually be forwarded from there to Germany. Incidentally American manufacturers of machines and tools are losing their regular export trade with Scandinavian countries.

The manner in which the British Government inspects steamship cargoes for Sweden and Denmark on the docks in New York may also be of great interest to you. The British Government has two British inspectors on the steamship dock, and they open every single case by removing a board or two to see whether the statements on the manifests are true. In other words, statements of American citizens are not accepted by the British Government as fact, and we are left entirely at the mercy of the inspector of these ships, regardless of their knowledge of the material shipped.

You will see from the above that not only shipping to Germany is impossible, but according to the latest developments whereby neutral steamship lines refuse machinery freight, also shipments of our goods to Sweden, Norway, and Denmark are at a deadlock. The steamship lines, of course, are not to be blamed, and it is quite natural that they will refuse any freight objectionable to the British inspectors, as they do not wish to run the risk of having their steamers detained for a month or so in British ports, which causes them a tremendous loss.

Mr. GILLET. Mr. Chairman, I yield now to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter or statement from Mr. George C. Potter, of Johnstown, N. Y., on the question of the tariff.

The CHAIRMAN. Is there objection?

There was no objection.

The statement referred to is as follows:

LOW TARIFF AND FAILURES—SIGNIFICANT FACTS DISCLOSED BY MERCANTILE AGENCY REPORTS.

R. G. Dun & Co.'s report of failures for 21 years shows clearly the disastrous effect of low tariff on the business life of the country. Figures given are from Dun's Review, January 9, 1915. We have indicated the high and low tariff years:

Years.	Number of failures.	Number of business concerns.	Per cent of failures.	Remarks.
1914.....	18,280	1,655,496	1.10	Low tariff: Wilson-Underwood bill.
1913.....	16,037	1,616,517	.99	
1912.....	15,452	1,564,279	.98	
1911.....	13,441	1,525,024	.81	
1910.....	12,652	1,515,143	.80	
1909.....	12,924	1,486,389	.80	
1908.....	15,090	1,447,554	1.08	
1907.....	11,725	1,418,075	.82	
1906.....	10,682	1,392,949	.77	Protective tariff: Payne-Aldrich and Dingley bills.
1905.....	11,520	1,357,455	.85	
1904.....	12,199	1,320,172	.92	
1903.....	12,069	1,281,481	.94	
1902.....	11,615	1,253,172	.93	
1901.....	11,002	1,219,242	.90	
1900.....	10,774	1,174,300	.92	
1899.....	9,337	1,147,595	.81	
1898.....	12,136	1,105,830	1.10	
1897.....	13,351	1,058,521	1.26	Low tariff: Cleveland administration.
1896.....	15,088	1,151,579	1.31	
1895.....	13,197	1,209,282	1.09	
1894.....	13,885	1,114,174	1.25	

Of the 21 years given it will be noted that 6 years were under low or free-trade tariff while 15 years were under protective tariff.

	Per cent.
Average percentage of failures for the 6 years of low tariff.....	1.18
Average percentage of failures for the 15 consecutive years of protective tariff.....	.89
Excess of failures in low-tariff years.....	32.6

These are mercantile agency figures, not political "bunk."

Low tariff has not reduced the cost of living, but it has in every year of its existence destroyed the opportunities of earning a livelihood by putting American factories out of business and American workmen out of employment. The only "expansion" which can be found in any low-tariff year is one of record-breaking business mortality and business depression.

With reference to the increase of failures during 1914, R. G. Dun & Co. say:

"This in a measure was traceable to the effects of the European war, which accentuated the depression in trade and exerted a particularly unfavorable influence on conditions in the South."

This refers, of course, to the cotton States and the collapse of cotton prices; but upon analyzing the figures, it appears that the increase of failures in all these States combined—North Carolina, South Carolina, Georgia, Alabama, Tennessee, Oklahoma, Mississippi, Louisiana, and Texas—is only 536, while in the three Middle Atlantic States—New York, New Jersey, and Pennsylvania—the increase was 690.

Of the Southern States, Florida shows the largest increase—404 failures in 1914 against 165 in 1913—but Florida can hardly be classed as a cotton State; and if the balance of the country was prosperous, the luxuries grown in Florida, such as fruits and early vegetables, would find ready sale at good prices. Oranges and grapefruit have not been bringing enough on the New York market to pay for the boxes and transportation, and this, no doubt, accounts for much of Florida's business mortality.

The real cause of the present widespread depression is clearly shown in the figures of the United States customhouse. These prove conclusively that closed factories and factories working on greatly reduced time all over the country are not the result of the war—on the contrary, this has been the means of temporarily opening many of them—but are the direct result of our present free-trade tariff, under which a credit balance in our favor during 1913 of over \$691,000,000 has been changed in five months—April, May, June, July, and August—of 1914 to a debit balance of over \$39,000,000, or at the rate of about \$100,000,000 per year against us.

That is to say, the volume of imports has been so great under the Wilson-Underwood-Simmons tariff that instead of receiving from the rest of the world nearly \$700,000,000 net per year for goods which we sell them, we are paying them under the present tariff about \$100,000,000 net for goods which they sell us, a change against us of nearly \$800,000,000, or about \$66,000,000 a month.

If American factories and American workmen were permitted to produce a part of these goods, valued at \$66,000,000 per month, instead of our friends across the water, everyone who wanted to work could be employed at good wages—double or two and a half times the wages paid abroad for the same work in any line. There is no way that this standard of wages can be maintained without a sufficient tariff to fully cover the difference in cost of production here and abroad.

Mr. J. M. C. SMITH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an article from the Cosmopolitan Magazine for the month of October, 1914, on the Senator from Michigan [Mr. WILLIAM ALDEN SMITH].

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

[The article referred to appears elsewhere in to-day's RECORD.]

Mr. FITZGERALD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21546, the general deficiency appropriation bill, and had come to no resolution thereon.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 21161. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1916, and for other purposes;

H. R. 15557. An act for the relief of Anna Miller; and

H. R. 18745. An act in relation to the location of a navigable channel of the Calumet River in Illinois.

#### ADJOURNMENT.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 7 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Friday, February 26, 1915, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General of the United States submitting estimates of \$50,000 for protecting interests of the United States in matters and suits affecting withdrawn oil lands, for the fiscal year ending June 30, 1916 (H. Doc. No. 1617), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (S. 7509) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1447), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 6981) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1448), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7212) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1449), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7597) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1450), which said bill and report were referred to the Private Calendar.

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 7566) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1451), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 7598) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1452), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARLIN (by request): A bill (H. R. 21557) for the purpose of preserving life at sea, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. PORTER: A bill (H. R. 21558) to authorize the President of the United States to lay, regulate, and revoke embargoes; to the Committee on Ways and Means.

By Mr. HELGESEN: Joint resolution (H. J. Res. 431) to correct certain maps issued by the United States Navy Department (Hydrographic Office); to the Committee on Naval Affairs.

By Mr. HAWLEY: Memorial from the State of Oregon, urging upon Congress to enact appropriate legislation ratifying and confirming the compact and giving its consent to the compact and agreement between the States of Washington and Oregon as is required by section 10 of Article I of the Constitution of the United States of America; to the Committee on the Merchant Marine and Fisheries.

By Mr. LAFFERTY: Memorial of the Legislature of Oregon asking that postal savings bank law be so amended as to permit deposits in any amount and to pay 3 per cent interest thereon, and making such deposits the basis for a national rural-credit system; to the Committee on Banking and Currency.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HINDS: A bill (H. R. 21559) granting a pension to Sarah C. Foster; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 21560) granting a pension to Sarah E. Champ; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21561) for the relief of the heirs of Solomon Griffin; to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of board of trustees of Tuskegee Institute, urging appropriation for Howard University; to the Committee on Appropriations.

Also (by request), petition of citizens of Sacramento, Cal., protesting against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also (by request), petition of sundry merchants and voters of the State of Missouri, urging legislation in the Sixty-fourth Congress, taxing mail-order houses; to the Committee on Ways and Means.

By Mr. ALLEN: Petitions of residents of Cleveland, Waterford, and Relief, Ohio, protesting against passage of bills abridging freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of the Council of Cheviot, Ohio, favoring civil-service retirement; to the Committee on Reform in the Civil Service.

Also, petition of citizens of Newark, Columbus, and Lorain, Ohio, against the passage of laws abridging freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. BROWNING: Petition of citizens of Camden County, N. J., and Philadelphia, Pa., favoring embargo on war material except foodstuff; to the Committee on Foreign Affairs.

Also, memorial of Camden County Federation of Patriotic and Religious Fraternities, protesting against further restrictions of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. COOPER: Memorial of L. H. D. Crane Post, Grand Army of the Republic, Beloit, Wis., favoring appropriation for peace jubilee at Vicksburg, Miss., in October, 1915; to the Committee on Appropriations.

Also, petition of Henry Graugon and others, of Lake Geneva, Wis., and Jacob Bentz and others, of Kenosha County, Wis., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. CURRY: Petition of 48 citizens of Stockton, Cal., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. DRUKKER: Memorial of American citizens and Christelyke Volksbond, of Paterson, N. J., protesting against export of war material; to the Committee on Foreign Affairs.

Also, petition of R. C. Hill, of Paterson, N. J., favoring bill to limit export of wheat, etc.; to the Committee on Ways and Means.

By Mr. EAGAN: Petitions of Frank Lot, of Weehawken, and 21 members of the German-American Shooting Society, of South River, N. J., favoring passage of bills to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. FESS: Petition of 65 citizens of Springfield, Ohio, opposing the Fitzgerald amendment to the Post Office appropriation bill; to the Committee on the Post Office and Post Roads.

By Mr. FINLEY: Petition of H. R. Blakeney, of Lancaster, S. C., favoring rural credits legislation; to the Committee on Banking and Currency.

Also, petition of citizens of Boston and Malden, Mass., and Albemarle, N. C., against any law abridging the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. GRIEST: Petitions of sundry residents of Pennsylvania, against legislation abridging freedom of the press, from Adamsdale, Athens, Blandon, Camp Hill, Canton, Carlisle, Harrisburg, Lancaster, Mechanicsburg, Norristown, Parker Ford, Philadelphia, Pittsburgh, Pottstown, Phoenixville, Pottsville, Reading, Sayre, Scranton, Shillington, Shiremanstown, South Waverly, Sunbury, Yocumtown, York, Raymond, Gold, and Genesee; to the Committee on the Post Office and Post Roads.

By Mr. GUERNSEY: Petition of Ernest T. McGlandin and others and G. W. English and others, urging Senate amendment to House bill to increase appropriation for Federal inspection of potatoes; to the Committee on Appropriations.

By Mr. HAWLEY: Petitions of citizens of Oregon, favoring passage of law to allow Harry K. Thaw to return to the State of Pennsylvania; to the Committee on the Judiciary.

By Mr. LIEB: Memorial of the Walsh Baking Co., of Evansville, Ind., urging legislation to limit the export of wheat, and thereby protect the interests of the American bakers and consumers; to the Committee on Ways and Means.

Also, petition of J. S. Berger, L. Sternberg, John H. Berger, August Block, George C. Sallmon, William Klurmeier, George D. Sallmon, Ben Wilbers, Gerhard Tollman, E. A. Magenheimer, William E. Hauff, George L. Rhinefort, George H. Sollman, Louisa Kruse, Gilbert C. Kruse, Paul M. Kruse, William O. Sollman, N. S. Watkins, E. Michol, A. Grouper, C. Strohm, Martin J. Kruse, and C. Reinbrecht, all of Fort Branch, Ind., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of Gottlieb Griefel, William Graper, G. C. Frohbieter, Christ Welmer, Christ Kruse, George Glesseman, William H. Block, G. F. Tepling, John F. Roemershansen, Frank Kiefer, C. F. W. Wehmer, John G. Freund, Fred Block, August Klurmeier, John Haffelbrink, Charles Kruse, Eugene Nuebling, Henry W. Jeide, W. J. Rhinfort, and D. Hoefner, all of Fort Branch, Ind., in favor of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Letter of Capt. W. C. Clark, of Buffalo, N. Y., relative to building of canals; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLELLAN: Petition of Conrad Rabel and 28 others, of Kingston, N. Y., urging legislation to prohibit export of war material; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of citizens of College View, Nebr., protesting against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: Petition of citizens of Watertown, N. Y., protesting against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. NEELEY of Kansas: Petition of citizens of Kingman County, Kans., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the seventh district of Kansas, favoring construction of public works; to the Committee on Public Buildings and Grounds.

By Mr. NEELY of West Virginia: Papers to accompany a bill for relief of Sarah E. Champ; to the Committee on Invalid Pensions.

Also, papers to accompany a bill for relief of heirs of Solomon Griffin; to the Committee on War Claims.

Also, petition of 22 citizens of Wheeling, W. Va., favoring embargo on arms; to the Committee on Foreign Affairs.

By Mr. NORTON: Petition of John Fetzer and others, of Deering, N. Dak., urging work on public roads, reclamations, and reforesting projects for the purpose of giving employment to the unemployed of the United States; to the Committee on Roads.

By Mr. PAGE of North Carolina: Petition of sundry citizens of the State of North Carolina, favoring passage of the Hollis-Bulkley rural-credits bill; to the Committee on Banking and Currency.

By Mr. PARKER of New York: Petition of Frank M. Champagne and others, of Rensselaer, N. Y., against any abridgment of the freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. SELDOMBRIDGE: Petition of citizens of Englewood, Colo., against laws abridging freedom of the press; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Petition of First African Seventh-day Adventist Church, of Philadelphia, Pa., protesting against passage of bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

## SENATE.

FRIDAY, February 26, 1915.

(Legislative day of Friday, February 19, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

### EXECUTIVE SESSION.

Mr. STONE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

### MOTHER'S DAY ASSOCIATION.

Mr. LA FOLLETTE. I ask unanimous consent to present some reports from a committee.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. LA FOLLETTE. From the Committee on Corporations Organized in the District of Columbia I report back favorably without amendment the bill (H. R. 16298) to incorporate the Mother's Day Association, and I submit a report (No. 1040) thereon.

Mr. President, I ask unanimous consent for the present consideration of the bill. There can be no objection to its passage, I think.

Mr. SMOOT. It is a unanimous report?

Mr. LA FOLLETTE. It is a unanimous report.

Mr. SWANSON. I shall not object, unless it leads to debate.

Mr. LA FOLLETTE. If there is any debate, I will withdraw it.

Mr. GALLINGER. I should like to hear the bill read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill, and read to the end of the first section.

Mr. CLARK of Wyoming. Mr. President, that is as far as I care to have the bill read. I ask the Senator from Wisconsin if this is a corporation that can not be organized under the general law applicable to corporations in the District of Columbia?

Mr. LA FOLLETTE. It is not, I understand.

Mr. SMOOT. I should like to have the bill read through.

Mr. LA FOLLETTE. Very well.

The Secretary resumed, and concluded the reading of the bill.

Mr. LA FOLLETTE. Mr. President, on the request of the Senator from Wyoming [Mr. CLARK] that the bill may go over I withdraw my request for unanimous consent for its present consideration.

The VICE PRESIDENT. The bill will go to the calendar.

### DAUGHTERS OF AMERICAN REVOLUTION.

Mr. LA FOLLETTE. From the Committee on Corporations Organized in the District of Columbia I report back favorably without amendment the bill (H. R. 2504) to amend section 2 of an act entitled "An act to incorporate the National Society of the Daughters of the American Revolution," and I submit a report (No. 1042) thereon.

Mr. President, I ask unanimous consent for the present consideration of this bill. I will state just in a word, with the permission of the Senate, that the Daughters of the American Revolution are already incorporated. The amount of property in the act of incorporation which they are permitted to hold is limited to \$500,000 in value. They have already acquired property exceeding that amount. They have erected a splendid building here. The bill proposes an amendment of the original act of incorporation to this extent only, that it increases the amount of property they can hold not to exceed \$1,000,000.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.